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CONSTITUTION OF IOWA
as amended

**STATUTES PERTAINING TO THE
GENERAL ASSEMBLY**

JOINT RULES

SENATE RULES

HOUSE OF REPRESENTATIVES RULES

LOBBYING RULES

EHTICS RULES

for the

SEVENTY — FIRST GENERAL ASSEMBLY

1985-1986



compiled by

**K. MARIE THAYER
SECRETARY OF THE SENATE**

**JOSEPH O'HERN
CHIEF CLERK OF THE HOUSE**



PUBLISHED BY
THE SENATE
and
THE HOUSE OF REPRESENTATIVES

STATE OF IOWA

under the direction
of

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SECRETARY OF THE SENATE

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**CONSTITUTION
OF
IOWA
as amended**

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THE
SMITHSONIAN INSTITUTION
WASHINGTON, D. C.

The following edition of the Constitution of Iowa incorporates into the original document all amendments which have been adopted to date including those that supersede prior language without specific repealer.

CONSTITUTION OF THE STATE OF IOWA

WE THE PEOPLE OF THE STATE OF IOWA, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent government, by the name of the State of Iowa, the boundaries whereof shall be as follows:

Beginning in the middle of the main channel of the Mississippi River, at a point due East of the middle of the mouth of the main channel of the Des Moines River, thence up the middle of the main channel of the said Des Moines River, to a point on said river where the Northern boundary line of the State of Missouri — as established by the constitution of that State — adopted June 12, 1820 — crosses the said middle of the main channel of the said Des Moines River; thence Westwardly along the said Northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri River; thence up the middle of the main channel of the said Missouri River to a point opposite the middle of the main channel of the Big Sioux River, according to Nicollett's Map; thence up the main channel of the said Big Sioux River, according to the said map, until it is intersected by the parallel of forty three degrees and thirty minutes North latitude; thence East along said parallel of forty three degrees and thirty minutes until said parallel intersects the middle of the main channel of the Mississippi River; thence down the middle of the main channel of said Mississippi River to the place of beginning.

ARTICLE I.

BILL OF RIGHTS

Section 1. All men are, by nature, free and equal, and have certain inalienable rights — among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it.

Sec. 3. The General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship, or the maintenance of any minister, or ministry.

Sec. 4. No religious test shall be required as a qualification for any office, or public trust, and no person shall be deprived of any of his rights, privileges, or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion; and any party to any judicial proceeding shall have the right to use as a witness, or take the testimony of, any other person not disqualified on account of interest, who may be cognizant of any fact material to the case; and parties to suits may be witnesses, as provided by law.

Sec. 5. Any citizen of this State who may hereafter be engaged, either directly, or indirectly, in a duel, either as principal, or accessory before the fact, shall forever be disqualified from holding any office under the Constitution and laws of this State.

Sec. 6. All laws of a general nature shall have a uniform operation; the General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms shall not equally belong to all citizens.

Sec. 7. Every person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech, or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it appears to the jury that the matter charged as libellous was true, and was published with good motives and for justifiable ends, the party shall be acquitted.

Sec. 8. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

Sec. 9. The right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by a jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty, or property, without due process of law.

Sec. 10. In all criminal prosecutions, and in cases involving the life, or liberty of an individual the accused shall have a right to a speedy and public trial by an impartial jury; to be informed of the accusation against him, to have a copy of the same when demanded; to be confronted with the witnesses against him; to have compulsory process for his witnesses; and, to have the assistance of counsel.

Sec. 11. All offences less than felony and in which the punishment does not exceed a fine of One hundred dollars, or imprisonment for thirty days, shall be tried summarily before a Justice of the Peace, or other officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offence, unless on presentment or indictment by a grand jury, except in cases arising in the army, or navy, or in the militia, when in actual service, in time of war or public danger.

The Grand Jury may consist of any number of members not less than five, nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a Grand Jury.

Sec. 12. No person shall after acquittal, be tried for the same offence. All persons shall, before conviction, be bailable, by sufficient sureties, except for capital offences where the proof is evident, or the presumption great.

Sec. 13. The writ of habeas corpus shall not be suspended, or refused when application is made as required by law, unless in case of rebellion, or invasion the public safety may require it.

Sec. 14. The military shall be subordinate to the civil power. No standing army shall be kept up by the State in time of peace; and in time of war, no appropriation for a standing army shall be for a longer time than two years.

Sec. 15. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

Sec. 16. Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open Court.

Sec. 17. Excessive bail shall not be required; excessive fines shall not be imposed, and cruel and unusual punishment shall not be inflicted.

Sec. 18. Private property shall not be taken for public use without just compensation first being made, or secured to be made to the owner thereof, as soon as the damages shall be assessed by a jury, who shall not take into consideration any advantages that may result to said owner on account of the improvement for which it is taken.

The general assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of the state, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.

Sec. 19. No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in case of fraud; and no person shall be imprisoned for a militia fine in time of peace.

Sec. 20. The people have the right freely to assemble together to counsel for the common good; to make known their opinions to their representatives and to petition for a redress of grievances.

Sec. 21. No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

Sec. 22. Foreigners who are, or may hereafter become residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and descent of property, as native born citizens.

Sec. 23. There shall be no slavery in this State; nor shall there be involuntary servitude, unless for the punishment of crime.

Sec. 24. No lease or grant of agricultural lands, reserving any rent, or service of any kind, shall be valid for a longer period than twenty years.

Sec. 25. This enumeration of rights shall not be construed to impair or deny others, retained by the people.

ARTICLE II.

RIGHT OF SUFFRAGE.

Section 1. Every citizen of the United States of the age of twenty-one years, who shall have been a resident of this state for such period of time as shall be provided by law and of the county in which he claims his vote for such period of time as shall be provided by law, shall be entitled to vote at all elections which are now or hereafter may be authorized by law. The General Assembly may provide by law for different periods of residence in order to vote for various officers or in order to vote in various elections. The required periods of residence shall not exceed six months in this state and sixty days in the county.

Sec. 2. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest on the days of election, during their attendance at such election, going to and returning therefrom.

Sec. 3. No elector shall be obliged to perform military duty on the day of election, except in time of war, or public danger.

Sec. 4. No person in the military, naval, or marine service of the United States shall be considered a resident of this State by being stationed in any garrison, barrack, or military or naval place, or station within this State.

Sec. 5. No idiot, or insane person, or person convicted of any infamous crime, shall be entitled to the privilege of an elector.

Sec. 6. All elections by the people shall be by ballot.

Sec. 7. The general election for state, district, county and township officers in the year 1916 shall be held in the same month and on the same day as that fixed by the laws of the United States for the election of presidential electors, or of president and vice-president of the United States; and thereafter such election shall be held at such time as the general assembly may by law provide.

ARTICLE III.

OF THE DISTRIBUTION OF POWERS.

Section 1. The powers of the government of Iowa shall be divided into three separate departments—the Legislative, the Executive, and the Judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any function appertaining to either of the others, except in cases hereinafter expressly directed or permitted.

LEGISLATIVE DEPARTMENT.

Section 1. The Legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives; and the style of every law shall be — "Be it enacted by the General Assembly of the State of Iowa."

Sec. 2. The General Assembly shall meet in session on the second Monday of January of each year. Upon written request of the presiding officer of each House of the General Assembly by two-thirds of the members of each House, the General Assembly shall convene in special session. The Governor of the state may convene the General Assembly by proclamation in the interim.

Sec. 3. The members of the House of Representatives shall be chosen every second year, by the qualified electors of their respective districts, and their term of office shall commence on the first day of January next after their election, and continue two years, and until their successors are elected and qualified.

Sec. 4. No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years, be a citizen of the United States, and shall have been an inhabitant of this State one year next preceding his election, and at the time of his election shall have had an actual residence of sixty days in the County, or District he may have been chosen to represent.

Sec. 5. Senators shall be chosen for the term of four years, at the same time and place as Representatives; they shall be twenty-five years of age, and possess the qualifications of Representatives as to residence and citizenship.

Sec. 6. The number of senators shall total not more than one-half the membership of the house of representatives. Senators shall be classified so that as nearly as possible one-half of the members of the senate shall be elected every two years.

Sec. 7. Each house shall choose its own officers, and judge of the qualification, election, and return of its own members. A contested election shall be determined in such manner as shall be directed by law.

Sec. 8. A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

Sec. 9. Each house shall sit upon its own adjournments, keep a journal of its proceedings, and publish the same; determine its rules of proceedings, punish members for disorderly behavior, and, with the consent of two thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the General Assembly of a free and independent State.

Sec. 10. Every member of the General Assembly shall have the liberty to dissent from, or protest against any Act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

Sec. 11. Senators and Representatives, in all cases, except treason, felony, or breach of the peace, shall be privileged from arrest during the session of the General Assembly, and in going to and returning from the same.

Sec. 12. When vacancies occur in either house, the Governor or the person exercising the functions of Governor, shall issue writs of election to fill such vacancies.

Sec. 13. The doors of each house shall be open, except on such occasions, as, in the opinion of the house, may require secrecy.

Sec. 14. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Sec. 15. Bills may originate in either house, and may be amended, altered, or rejected by the other; and every bill having passed both houses, shall be signed by the Speaker and President of their respective houses.

Sec. 16. Every bill which shall have passed the General Assembly, shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it with his objections, to the house in which it originated, which shall enter the same upon their journal, and proceed to re-consider it; if, after such re-consideration, it again pass both houses, by yeas and nays, by a majority of two thirds of the members of each house, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within three days after it shall have been presented to him, Sunday excepted, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by adjournment, prevent such return. Any bill submitted to the Governor for his approval during the last three days of a session of the General Assembly, shall be deposited by him in the office of the Secretary of State, within thirty days after the adjournment, with his approval, if approved by him, and with his objections, if he disapproves thereof.

The Governor may approve appropriation bills in whole or in part, and may disapprove any item of an appropriation bill; and the part approved shall become a law. Any item of an appropriation bill disapproved by the Governor shall be returned, with his objections, to the house in which it originated, or shall be deposited by him in the office of the Secretary of State in the case of an appropriation bill submitted to the Governor for his approval during the last three days of a session of the General Assembly, and the procedure in each case shall be the same as provided for other bills. Any such item of an appropriation bill may be enacted into law notwithstanding the Governor's objections, in the same manner as provided for other bills.

Sec. 17. No bill shall be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal.

Sec. 18. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws, at every regular session of the General Assembly.

Sec. 19. The House of Representatives shall have the sole power of impeachment, and all impeachments shall be tried by the Senate. When sitting for that purpose, the senators shall be upon oath or affirmation; and no person shall be convicted without the concurrence of two thirds of the members present.

Sec. 20. The Governor, Judges of the Supreme and District Courts, and other State officers, shall be liable to impeachment for any misdemeanor or malfeasance in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit, under this State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment, according to law. All other civil officers shall be tried for misdemeanors and malfeasance in office, in such manner as the General Assembly may provide.

Sec. 21. No senator or representative shall, during the time for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by elections by the people.

Sec. 22. No person holding any lucrative office under the United States, or this State, or any other power, shall be eligible to hold a seat in the General Assembly; but offices in the militia, to which there is attached no annual salary, or the office of justice of the peace, or postmaster whose compensation does not exceed one hundred dollars per annum, or notary public, shall not be deemed lucrative.

Sec. 23. No person who may hereafter be a collector or holder of public monies, shall have a seat in either House of the General Assembly, or be eligible to hold any office of trust or profit in this State, until he shall have accounted for and paid into the treasury all sums for which he may be liable.

Sec. 24. No money shall be drawn from the treasury but in consequence of appropriations made by law.

Sec. 25. Each member of the General Assembly shall receive such compensation and allowances for expenses as shall be fixed by law but no General Assembly shall have the power to increase compensation and allowances effective prior to the convening of the next General Assembly following the session in which any increase is adopted.

Sec. 26. No law of the General Assembly, passed at a regular session, of a public nature, shall take effect until the first day of July next after the passage thereof. Laws passed at a special session, shall take effect ninety days after the adjournment of the General Assembly by which they were passed. If the General Assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers in the State.

Sec. 27. No divorce shall be granted by the General Assembly.

Sec. 28. Repealed.

Sec. 29. Every act shall embrace but one subject, and matters properly connected therewith; which subject shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

Sec. 30. The General Assembly shall not pass local or special laws in the following cases:

- For the assessment and collection of taxes for State, County, or road purposes;
- For laying out, opening, and working roads or highways;
- For changing the names of persons;
- For the incorporation of cities and towns;
- For vacating roads, town plats, streets, alleys, or public squares;
- For locating or changing county seats.

In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State; and no law changing the boundary lines of any county shall have effect until

upon being submitted to the people of the counties affected by the change, at a general election, it shall be approved by a majority of the votes in each county, cast for and against it.

Sec. 31. No extra compensation shall be made to any officer, public agent, or contractor, after the service shall have been rendered, or the contract entered into; nor, shall any money be paid on any claim, the subject matter of which shall not have been provided for by pre-existing laws, and no public money or property shall be appropriated for local, or private purposes, unless such appropriation, compensation, or claim, be allowed by two-thirds of the members elected to each branch of the General Assembly.

Sec. 32. Members of the General Assembly shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear, or affirm, (as the case may be,) that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Senator, (or Representative, as the case may be,) according to the best of my ability." And members of the General Assembly are hereby empowered to administer to each other the said oath or affirmation.

Sec. 33. Repealed.

Sec. 34. The senate shall be composed of not more than fifty and the house of representatives of not more than one hundred members. Senators and representatives shall be elected from districts established by law. Each district so established shall be of compact and contiguous territory. The state shall be apportioned into senatorial and representative districts on the basis of population. The General Assembly may provide by law for factors in addition to population, not in conflict with the Constitution of the United States, which may be considered in the apportioning of senatorial districts. No law so adopted shall permit the establishment of senatorial districts whereby a majority of the members of the senate shall represent less than forty percent of the population of the state as shown by the most recent United States decennial census.

Sec. 35. The General Assembly shall in 1971 and in each year immediately following the United States decennial census determine the number of senators and representatives to be elected to the General Assembly and establish senatorial and representative districts. The General Assembly shall complete the apportionment prior to September 1 of the year so required. If the apportionment fails to become law prior to September 15 of such year, the Supreme Court shall cause the state to be apportioned into senatorial and representative districts to comply with the requirements of the Constitution prior to December 31 of such year. The reapportioning authority shall, where necessary in establishing senatorial districts, shorten the term of any senator prior to completion of the term. Any senator whose term is so terminated shall not be compensated for the uncompleted part of the term.

Sec. 36. Upon verified application by any qualified elector, the Supreme Court shall review an apportionment plan adopted by the General Assembly which has been enacted into law. Should the Supreme Court determine such plan does not comply with the requirements of the Constitution, the court shall within ninety days adopt or cause to be adopted an apportionment plan which shall so comply. The Supreme Court shall have original jurisdiction of all litigation questioning the apportionment of the General Assembly or any apportionment plan adopted by the General Assembly.

Sec. 37. When a congressional district is composed of two or more counties it shall not be entirely separated by a county belonging to another district and no county shall be divided in forming a congressional district.

Sec. 38. In all elections by the General Assembly, the members thereof shall vote viva voce and the votes shall be entered on the journal.

Sec. 38A. Municipal corporations are granted home rule power and authority, not inconsistent with the laws of the General Assembly, to determine their local affairs and government, except that they shall not have power to levy any tax unless expressly authorized by the General Assembly.

The rule or proposition of law that a municipal corporation possesses and can exercise only those powers granted in express words is not a part of the law of this state.

Sec. 39. In establishing senatorial and representative districts, the state shall be divided into as many senatorial districts as there are members of the senate and into as many representative districts as there are members of the house of representatives. One senator shall be elected from each senatorial district and one representative shall be elected from each representative district.

Sec. 39A. Counties or joint county-municipal corporation governments are granted home rule power and authority, not inconsistent with the laws of the general assembly, to determine their local affairs and government, except that they shall not have power to levy any tax unless expressly authorized by the general assembly. The general assembly may provide for the creation and dissolution of joint county-municipal corporation governments. The general assembly may provide for the establishment of charters in county or joint county-municipal corporation governments.

If the power or authority of a county conflicts with the power and authority of a municipal corporation, the power and authority exercised by a municipal corporation shall prevail within its jurisdiction.

The proposition or rule of law that a county or joint county-municipal corporation government possesses and can exercise only those powers granted in express words is not a part of the law of this state.

Sec. 40. The general assembly may nullify an adopted administrative rule of a state agency by the passage of a resolution by a majority of all of the members of each house of the General Assembly.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

Section 1. The Supreme Executive power of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of Iowa.

Sec. 2. The Governor shall be elected by the qualified electors at the time and place of voting for members of the General Assembly, and shall hold his office for four years from the time of his installation, and until his successor is elected and qualifies.

Sec. 3. There shall be a Lieutenant Governor who shall hold his office for the same term, and be elected at the same time as the Governor. In voting for Governor and Lieutenant Governor, the electors shall designate for whom they vote as Governor,

and for whom as Lieutenant Governor. The returns of every election for Governor, and Lieutenant Governor, shall be sealed up and transmitted to the seat of government of the State, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.

Sec. 4. The persons respectively having the highest number of votes for Governor and Lieutenant Governor, shall be declared duly elected; but in case two or more persons shall have an equal and the highest number of votes for either office, the General Assembly shall, by joint vote, forthwith proceed to elect one of said persons Governor, or Lieutenant Governor, as the case may be.

If, upon the completion of the canvass of votes for Governor and Lieutenant Governor by the General Assembly, it shall appear that the person who received the highest number of votes for Governor has since died, resigned, is unable to qualify, fails to qualify, or for any other reason is unable to assume the duties of the office of Governor for the ensuing term, the powers and duties of the office shall devolve upon the person who received the highest number of votes for Lieutenant Governor until the disability is removed and, upon inauguration, he shall assume the powers and duties of Governor.

Sec. 5. Contested elections for Governor, or Lieutenant Governor, shall be determined by the General Assembly in such manner as may be prescribed by law.

Sec. 6. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have been a citizen of the United States, and a resident of the State, two years next preceding the election, and attained the age of thirty years at the time of said election.

Sec. 7. The Governor shall be the commander in chief of the militia, the army, and navy of this State.

Sec. 8. He shall transact all executive business with the officers of government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

Sec. 9. He shall take care that the laws are faithfully executed.

Sec. 10. When any office shall, from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have power to fill such vacancy, by granting a commission, which shall expire at the end of the next session of the General Assembly, or at the next election by the people.

Sec. 11. He may, on extraordinary occasions, convene the General Assembly by proclamation, and shall state to both Houses, when assembled, the purpose for which they shall have been convened.

Sec. 12. He shall communicate, by message, to the General Assembly, at every regular session, the condition of the State, and recommend such matters as he shall deem expedient.

Sec. 13. In case of disagreement between the two Houses with respect to the time of adjournment, the Governor shall have power to adjourn the General Assembly to such time as he may think proper; but no such adjournment shall be beyond the time fixed for the regular meeting of the next General Assembly.

Sec. 14. No person shall, while holding any office under the authority of the United States, or this State, execute the office of Governor, or Lieutenant Governor, except as hereinafter expressly provided.

Sec. 15. The official term of the Governor, and Lieutenant Governor, shall commence on the second Monday of January next after their election, and continue until their successors are elected and qualify. The Lieutenant Governor, while acting as Governor, shall receive the same compensation as provided for Governor; and while presiding in the Senate, and between sessions such compensation and expenses as provided by law.

Sec. 16. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offences except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law; and shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and the reasons therefor; and also all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted.

Sec. 17. In case of the death, impeachment, resignation, removal from office, or other disability of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the Lieutenant Governor.

Sec. 18. The Lieutenant Governor shall be President of the Senate, but shall only vote when the Senate is equally divided; and in case of his absence, or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a President pro tempore.

Sec. 19. If there be a vacancy in the office of Governor and the Lieutenant Governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of Governor, the President pro tempore of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President pro tempore of the Senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of Governor the same shall devolve upon the Speaker of the House of Representatives; and if the Speaker of the House of Representatives, for any of the above causes, shall be incapable of performing the duties of the office of Governor, the Justices of the Supreme Court shall convene the General Assembly by proclamation and the General Assembly shall organize by the election of a President pro tempore by the Senate and a Speaker by the House of Representatives. The General Assembly shall thereupon immediately proceed to the election of a Governor and Lieutenant Governor in joint convention.

Sec. 20. There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the Great Seal of the State of Iowa.

Sec. 21. All grants and commissions shall be in the name and by the authority of the people of the State of Iowa, sealed with the Great Seal of the State, signed by the Governor, and countersigned by the Secretary of State.

Sec. 22. A Secretary of State, an Auditor of State and a Treasurer of State shall be elected by the qualified electors at the same time that the governor is elected and for a four-year term commencing on the first day of January next after their election, and they shall perform such duties as may be provided by law.

ARTICLE V.

JUDICIAL DEPARTMENT.

Section 1. The Judicial power shall be vested in a Supreme Court, District Courts, and such other Courts, inferior to the Supreme Court, as the General Assembly may, from time to time, establish.

Sec. 2. The Supreme Court shall consist of three Judges, two of whom shall constitute a quorum to hold Court.

Sec. 3. Repealed.

Sec. 4. The Supreme Court shall have appellate jurisdiction only in cases in chancery, and shall constitute a Court for the correction of errors at law, under such restrictions as the General Assembly may, by law, prescribe; and shall have power to issue all writs and process necessary to secure justice to parties, and shall exercise a supervisory and administrative control over all inferior Judicial tribunals throughout the State.

Sec. 5. Repealed.

Sec. 6. The District Court shall be a court of law and equity, which shall be distinct and separate jurisdictions, and have Jurisdiction in civil and criminal matters arising in their respective districts, in such manner as shall be prescribed by law.

Sec. 7. The Judges of the Supreme and District Courts shall be conservators of the peace throughout the State.

Sec. 8. The style of all process shall be, "The State of Iowa", and all prosecutions shall be conducted in the name and by the authority of the same.

Sec. 9. Repealed.

Sec. 10. After the year eighteen hundred and sixty, the general assembly may increase the number of judges of the supreme court; but such increase shall not be more than one judge at any one session. Such increase of the number of judges, shall take place every four years thereafter, if necessary, and at no other time.

At any regular session of the General Assembly the State may be divided into the necessary Judicial Districts for District Court purposes, or the said Districts may be

reorganized and the number of the Districts and Judges of said Courts increased or diminished; but no re-organization of the Districts or diminution of the Judges shall have the effect of removing a Judge from office.

Sec. 11. Repealed.

Sec. 12. The General Assembly shall provide, by law, for the election of an Attorney General by the people, whose term of office shall be four years, and until his successor is elected and qualifies.

Sec. 13. Repealed.

Sec. 14. It shall be the duty of the General Assembly to provide for the carrying into effect of this article, and to provide for a general system of practice in all the Courts of this State.

Sec. 15. Vacancies in the Supreme Court and District Court shall be filled by appointment by the Governor from lists of nominees submitted by the appropriate judicial nominating commission. Three nominees shall be submitted for each Supreme Court vacancy, and two nominees shall be submitted for each District Court vacancy. If the Governor fails for thirty days to make the appointment, it shall be made from such nominees by the Chief Justice of the Supreme Court.

Sec. 16. There shall be a State Judicial Nominating Commission. Such commission shall make nominations to fill vacancies in the Supreme Court. Until July 4, 1973, and thereafter unless otherwise provided by law, the State Judicial Nominating Commission shall be composed and selected as follows: There shall be not less than three nor more than eight appointive members, as provided by law, and an equal number of elective members on such Commission, all of whom shall be electors of the state. The appointive members shall be appointed by the Governor subject to confirmation by the Senate. The elective members shall be elected by the resident members of the bar of the state. The judge of the Supreme Court who is senior in length of service on said Court, other than the Chief Justice, shall also be a member of such Commission and shall be its chairman.

There shall be a District Judicial Nominating Commission in each judicial district of the state. Such commissions shall make nominations to fill vacancies in the District Court within their respective districts. Until July 4, 1973, and thereafter unless otherwise provided by law, District Judicial Nominating Commissions shall be composed and selected as follows: There shall be not less than three nor more than six appointive members, as provided by law, and an equal number of elective members on each such commission, all of whom shall be electors of the district. The appointive members shall be appointed by the Governor. The elective members shall be elected by the resident members of the bar of the district. The district judge of such district who is senior in length of service shall also be a member of such commission and shall be its chairman.

Due consideration shall be given to area representation in the appointment and election of Judicial Nominating Commission members. Appointive and elective members of Judicial Nominating Commissions shall serve for six year terms, shall be ineligible for a second six year term on the same commission, shall hold no office of profit of the United States or of the state during their terms, shall be chosen without preference to political affiliation, and shall have such other qualifications as may be prescribed by law. As near as may be, the terms of one-third of such members shall expire every two years.

Sec. 17. Members of all courts shall have such tenure in office as may be fixed by law, but terms of Supreme Court Judges shall be not less than eight years and terms of District Court Judges shall be not less than six years. Judges shall serve for one year after appointment and until the first day of January following the next judicial election after the expiration of such year. They shall at such judicial election stand for retention in office on a separate ballot which shall submit the question of whether such judge shall be retained in office for the tenure prescribed for such office and when such tenure is a term of years, on their request, they shall, at the judicial election next before the end of each term, stand again for retention on such ballot. Present Supreme Court and District Court Judges, at the expiration of their respective terms, may be retained in office in like manner for the tenure prescribed for such office. The General Assembly shall prescribe the time for holding judicial elections.

Sec. 18. Judges of the Supreme Court and District Court shall receive salaries from the state, shall be members of the bar of the state and shall have such other qualifications as may be prescribed by law. Judges of the Supreme Court and District Court shall be ineligible to any other office of the state while serving on said court and for two years thereafter, except that District Judges shall be eligible to the office of Supreme Court Judge. Other judicial officers shall be selected in such manner and shall have such tenure, compensation and other qualification as may be fixed by law. The General Assembly shall prescribe mandatory retirement for Judges of the Supreme Court and District Court at a specified age and shall provide for adequate retirement compensation. Retired judges may be subject to special assignment to temporary judicial duties by the Supreme Court, as provided by law.

Sec. 19. In addition to the legislative power of impeachment of judges as set forth in Article three (III), sections nineteen (19) and twenty (20) of the Constitution, the Supreme Court shall have power to retire judges for disability and to discipline or remove them for good cause, upon application by a commission on judicial qualifications. The General Assembly shall provide by law for the implementation of this section.

ARTICLE VI.

MILITIA.

Section 1. The militia of this State shall be composed of all able-bodied male citizens, between the ages of eighteen and forty five years, except such as are or may hereafter be exempt by the laws of the United States, or of this State, and shall be armed, equipped, and trained, as the General Assembly may provide by law.

Sec. 2. No person or persons conscientiously scrupulous of bearing arms shall be compelled to do military duty in time of peace: Provided, that such person or persons shall pay an equivalent for such exemption in the same manner as other citizens.

Sec. 3. All commissioned officers of the militia, (staff officers excepted,) shall be elected by the persons liable to perform military duty, and shall be commissioned by the Governor.

ARTICLE VII.

STATE DEBTS.

Section 1. The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association, or corporation; and the State shall never assume, or become responsible for, the debts or liabilities of any individual, association, or corporation, unless incurred in time of war for the benefit of the State.

Sec. 2. The State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed the sum of two hundred and fifty thousand dollars; and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

Sec. 3. All losses to the permanent, School, or University fund of this State, which shall have been occasioned by the defalcation, mismanagement or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State. The amount so audited shall be a permanent funded debt against the State, in favor of the respective fund, sustaining the loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized by the second section of this article.

Sec. 4. In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection, or defend the State in war; but the money arising from the debts so contracted shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

Sec. 5. Except the debts herein before specified in this article, no debt shall be hereafter contracted by, or on behalf of this State, unless such debt shall be authorized by some law for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax, sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal of such debt, within twenty years from the time of the contracting thereof; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt created thereby; and such law shall be published in at least one news paper in each County, if one is published therein, throughout the State, for three months preceding the election at which it is submitted to the people.

Sec. 6. The Legislature may, at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same; and may, at any time, forbid the contracting of any further debt, or liability, under such law; but the tax imposed by such law, in proportion to the debt or liability, which may have been contracted in pursuance thereof, shall remain in force and be irrepealable, and be annually collected, until the principal and interest are fully paid.

Sec. 7. Every law which imposes, continues, or revives a tax, shall distinctly state the tax, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

Sec. 8. All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways exclusively within the state or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds.

ARTICLE VIII.

CORPORATIONS.

Section 1. No corporation shall be created by special laws; but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created, except as hereinafter provided.

Sec. 2. The property of all corporations for pecuniary profit, shall be subject to taxation, the same as that of individuals.

Sec. 3. The State shall not become a stockholder in any corporation, nor shall it assume or pay the debt or liability of any corporation, unless incurred in time of war for the benefit of the State.

Sec. 4. No political or municipal corporation shall become a stockholder in any banking corporation, directly or indirectly.

Sec. 5. No Act of the General Assembly, authorizing or creating corporations or associations with banking powers, nor amendments thereto shall take effect, or in any manner be in force, until the same shall have been submitted, separately, to the people, at a general or special election, as provided by law, to be held not less than three months after the passage of the Act, and shall have been approved by a majority of all the electors voting for and against it at such election.

Sec. 6. Subject to the provisions of the foregoing section, the General Assembly may also provide for the establishment of a State Bank with branches.

Sec. 7. If a State Bank be established, it shall be founded on an actual specie basis, and the branches shall be mutually responsible for each others liabilities upon all notes, bills, and other issues intended for circulation as money.

Sec. 8. If a general Banking law shall be enacted, it shall provide for the registry and countersigning, by an officer of State, of all bills, or paper credit designed to circulate as money, and require security to the full amount thereof, to be deposited with the State Treasurer, in United States stocks, or in interest paying stocks of States in good credit and standing, to be rated at ten per cent below their average value in the City of New York, for the thirty days next preceding their deposit; and in case of a depreciation of any portion of said stocks, to the amount of ten per cent on the dollar, the bank or banks owning such stock shall be required to make up said deficiency by depositing additional stocks; and said law shall also provide for the recording of the names of all stockholders in such corporations, the amount of stock held by each, the time of any transfer, and to whom.

Sec. 9. Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him or her held, to an amount equal to his or her respective shares so held for all of its liabilities, accruing while he or she remains such stockholder.

Sec. 10. In case of the insolvency of any banking institution, the bill-holders shall have a preference over its other creditors.

Sec. 11. The suspension of specie payments by banking institutions shall never be permitted or sanctioned.

Sec. 12. Subject to the provisions of this article, the General Assembly shall have power to amend or repeal all laws for the organization or creation of corporations, or granting of special or exclusive privileges or immunities, by a vote of two thirds of each branch of the General Assembly; and no exclusive privileges, except as in this article provided, shall ever be granted.

ARTICLE IX. EDUCATION AND SCHOOL LANDS.

SCHOOL FUNDS AND SCHOOL LANDS.

Section 1. The educational and school funds and lands, shall be under the control and management of the General Assembly of this State.

Sec. 2. The University lands, and the proceeds thereof, and all monies belonging to said fund shall be a permanent fund for the sole use of the State University. The interest arising from the same shall be annually appropriated for the support and benefit of said University.

Sec. 3. The General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been, or hereafter may be, granted by the United States to this State, for the support of schools, which may have been or shall hereafter be sold, or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress, distributing the proceeds of the public lands among the several States of the Union, approved in the year of our Lord one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent as has been or may hereafter be granted by Congress, on the sale of lands in this State, shall be, and remain a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the General Assembly may provide, shall be inviolably appropriated to the support of Common schools throughout the State.

Sec. 4. Repealed.

Sec. 5. The General Assembly shall take measures for the protection, improvement, or other disposition of such lands as have been, or may hereafter be reserved, or granted by the United States, or any person or persons, to this State, for the use of the University, and the funds accruing from the rents or sales of such lands, or from any other source for the purpose aforesaid, shall be, and remain, a permanent fund, the interest of which shall be applied to the support of said University, for the promotion of

literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the General Assembly as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University.

Sec. 6. The financial agents of the school funds shall be the same, that by law, receive and control the State and county revenue for other civil purposes, under such regulations as may be provided by law.

Sec. 7. Repealed 1984.

ARTICLE X. AMENDMENTS TO THE CONSTITUTION.

Section 1. Any amendment or amendments to this Constitution may be proposed in either House of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two Houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if, in the General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to, by a majority of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner, and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the Constitution of this State.

Sec. 2. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

Sec. 3. At the general election to be held in the year one thousand nine hundred and seventy, and in each tenth year thereafter, and also at such times as the General Assembly may, by law, provide, the question, "Shall there be a Convention to revise the Constitution, and propose amendment or amendments to same?" shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified, voting at such election, for and against such proposition, shall decide in favor of a Convention for such purpose, the General Assembly, at its next session, shall provide by law for the election of delegates to such Convention, and for submitting the results of said Convention to the people, in such manner and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the constitution of this state. If two or more amendments shall be submitted at the same time, they shall be submitted in such a manner that electors may vote for or against each such amendment separately.

ARTICLE XI.
MISCELLANEOUS.

Section 1. The jurisdiction of Justices of the Peace shall extend to all civil cases, (except in cases where chancery, and cases where the question of title to real estate may arise,) where the amount in controversy does not exceed one hundred dollars, and by the consent of parties may be extended to any amount not exceeding three hundred dollars.

Sec. 2. No new County shall be hereafter created containing less than four hundred and thirty two square miles; nor shall the territory of any organized county be reduced below that area; except the County of Worth, and the counties west of it, along the Northern boundary of this State, may be organized without additional territory.

Sec. 3. No county, or other political or municipal corporation shall be allowed to become indebted in any manner, or for any purpose, to an amount, in the aggregate, exceeding five per centum on the value of the taxable property within such county or corporation—to be ascertained by the last State and county tax lists, previous to the incurring of such indebtedness.

Sec. 4. The boundaries of the State may be enlarged, with the consent of Congress and the General Assembly.

Sec. 5. Every person elected or appointed to any office, shall, before entering upon the duties thereof, take an oath or affirmation to support the Constitution of the United States, and of this State, and also an oath of office.

Sec. 6. In all cases of elections to fill vacancies in office occurring before the expiration of a full term, the person so elected shall hold for the residue of the unexpired term; and all persons appointed to fill vacancies in office, shall hold until the next general election, and until their successors are elected and qualified.

Sec. 7. The General Assembly shall not locate any of the public lands, which have been, or may be granted by Congress to this State, and the location of which may be given to the General Assembly, upon lands actually settled, without the consent of the occupant. The extent of the claim of such occupant, so exempted, shall not exceed three hundred and twenty acres.

Sec. 8. The seat of Government is hereby permanently established, as now fixed by law, at the City of Des Moines, in the County of Polk; and the State University, at Iowa City, in the County of Johnson.

ARTICLE XII.
SCHEDULE.

Section 1. This Constitution shall be the supreme law of the State, and any law inconsistent therewith, shall be void. The General Assembly shall pass all laws necessary to carry this Constitution into effect.

Sec. 2. All laws now in force and not inconsistent with this Constitution, shall remain in force until they shall expire or be repealed.

Sec. 3. All indictments, prosecutions, suits, pleas, complaints, process, and other proceedings pending in any of the courts, shall be prosecuted to final judgment and execution; and all appeals, writs of error, certiorari, and injunctions, shall be carried on in the several courts, in the same manner as now provided by law; and all offences, misdemeanors, and crimes that may have been committed before the taking effect of this Constitution, shall be subject to indictment, trial and punishment, in the same manner as they would have been, had not this Constitution been made.

Sec. 4. Repealed.

Sec. 5. All bonds executed to the State, or to any officer in his official capacity, shall remain in force and inure to the use of those concerned.

Sec. 6. The first election under this Constitution shall be held on the second Tuesday in October, in the year one thousand eight hundred and fifty seven, at which time the electors of the State shall elect the Governor and Lieutenant Governor. There shall also be elected at such election, the successors of such State Senators as were elected at the August election, in the year one thousand eight hundred and fifty-four, and members of the House of Representatives, who shall be elected in accordance with the act of apportionment, enacted at the session of the General Assembly which commenced on the first Monday of December One thousand eight hundred and fifty six.

Sec. 7. The first election for Secretary, Auditor, and Treasurer of State, Attorney General, District Judges, Members of the Board of Education, District Attorneys, members of Congress and such State officers as shall be elected at the April election, in the year One thousand eight hundred and fifty seven, (except the Superintendent of Public Instruction,) and such county officers as were elected at the August election, in the year One thousand eight hundred and fifty-six, except Prosecuting Attorneys, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-eight: *Provided*, That the time for which any District Judge or other State or County officer elected at the April election in the year One thousand eight hundred and fifty eight, shall not extend beyond the time fixed for filling like offices at the October election in the year one thousand eight hundred and fifty eight.

Sec. 8. The first election for Judges of the Supreme Court, and such County officers as shall be elected at the August election, in the year one thousand eight hundred and fifty-seven, shall be held on the second Tuesday of October, in the year One thousand eight hundred and fifty-nine.

Sec. 9. The first regular session of the General Assembly shall be held in the year One thousand eight hundred and fifty-eight, commencing on the second Monday of January of said year.

Sec. 10. Senators elected at the August election, in the year one thousand eight hundred and fifty-six, shall continue in office until the second Tuesday of October, in the year one thousand eight hundred and fifty nine, at which time their successors shall be elected as may be prescribed by law.

Sec. 11. Every person elected by popular vote, by vote of the General Assembly, or who may hold office by executive appointment, which office is continued by this Constitution, and every person who shall be so elected or appointed, to any such office,

before the taking effect of this constitution, (except as in this Constitution otherwise provided,) shall continue in office until the term for which such person has been or may be elected or appointed shall expire: but no such person shall continue in office after the taking effect of this Constitution, for a longer period than the term of such office, in this Constitution prescribed.

Sec. 12. The General Assembly, at the first session under this Constitution, shall district the State into eleven Judicial Districts, for District Court purposes; and shall also provide for the apportionment of the members of the General Assembly, in accordance with the provisions of this Constitution.

Sec. 13. This Constitution shall be submitted to the electors of the State at the August election, in the year one thousand eight hundred and fifty-seven, in the several election districts in this State. The ballots at such election shall be written or printed as follows: Those in favor of the Constitution, "New Constitution—Yes." Those against the Constitution, "New Constitution—No." The election shall be conducted in the same manner as the general elections of the State, and the pollbooks shall be returned and canvassed as provided in the twenty-fifth chapter of the code, and abstracts shall be forwarded to the Secretary of State, which abstracts shall be canvassed in the manner provided for the canvass of State officers. And if it shall appear that a majority of all the votes cast at such election for and against this Constitution are in favor of the same, the Governor shall immediately issue his proclamation stating that fact, and such Constitution shall be the Constitution of the State of Iowa, and shall take effect from and after the publication of said proclamation.

Sec. 14. At the same election that this Constitution is submitted to the people for its adoption or rejection, a proposition to amend the same by striking out the word "White" from the article on the Right of Suffrage, shall be separately submitted to the electors of this State for adoption or rejection in manner following—Namely:

A separate ballot may be given by every person having a right to vote at said election, to be deposited in a separate box; and those given for the adoption of such proposition shall have the words, "Shall the word 'White' be stricken out of the Article on the Right of Suffrage? Yes." And those given against the proposition shall have the words, "Shall the word 'White' be stricken out of the Article on the Right of Suffrage? No." And if at said election the number of ballots cast in favor of said proposition shall be equal to a majority of those cast for and against this Constitution, then said word "White" shall be stricken from said Article and be no part thereof.

Sec. 15. Until otherwise directed by law, the County of Mills shall be in and a part of the sixth Judicial District of this State.

Sec. 16. Repealed.

**STATUTORY PROVISIONS
PERTAINING TO
THE GENERAL ASSEMBLY**

STATE OF NEW YORK
IN SENATE
JANUARY 1, 1892.

STATUTORY PROVISIONS PERTAINING TO
THE GENERAL ASSEMBLY

ORGANIZATION

2.1 Sessions — place. The sessions of the general assembly shall be held annually at the seat of government, unless the governor shall convene them at some other place in times of pestilence or public danger. Each annual session of the general assembly shall commence on the second Monday in January of each year. The general assembly may recess from time to time during each year in such manner as it may provide, subject to Article III, section 14 of the Constitution of the state of Iowa.

2.2 Designation of general assembly. Each regular session of the general assembly shall be designated by the year in which it convenes and by a number with a new consecutive number assigned with the session beginning in each odd-numbered year.

A special session of the general assembly shall be designated as an extraordinary session in the particular year of a numbered general assembly.

2.3 Temporary organization. At ten o'clock a.m. on the second Monday in January of each odd-numbered year, the general assembly shall convene. The president of the senate, or in the president's absence some person claiming to be a member, shall call the senate to order. If necessary, a temporary president shall be chosen from the persons claiming to be elected senators. Some person claiming to be elected a member of the house of representatives shall call the house to order. The persons present claiming to be elected to the senate shall choose a secretary, and those of the house of representatives, a clerk on a temporary basis.

2.4 Certificates of election. The selected secretary and clerk shall receive and file the certificates of election presented, each for their respective houses, and make a list therefrom of the persons who appear to have been elected members of the respective houses.

2.5 Temporary officers — committee on credentials. The persons appearing to be members shall proceed to elect such other officers as may be requisite and when so temporarily organized shall choose a committee of five, who shall examine and report upon the credentials of the persons claiming to be members.

2.6 Permanent organization. The members reported by the committee as holding certificates of election from the proper authority shall proceed to the permanent organization of their respective houses by the election of officers and shall not be challenged as to their qualifications during the remainder of the term for which they were elected.

2.7 Officers — tenure. The president pro tempore of the senate and the speaker of the house of representatives shall hold their offices until the first day of the meeting of the next general assembly. All other officers elected by either house shall hold their offices for the same terms, unless sooner removed, except as may be otherwise provided by resolution or rules of the general assembly.

2.8 Oaths. Any member may administer oaths necessary in the course of business of the house of which that person is a member, and, while acting on a committee, in the course of business of such committee.

2.9 Journals. The secretary of the senate and the clerk of the house of representatives shall preserve copies of the printed daily journals of their respective bodies, as corrected, certify to their correctness, and file them with the secretary of state at the adjournment of each session of the general assembly. The secretary of state shall cause the same to be bound and preserved as the original journals of the senate and the house in the manner as shall be specified by the president of the senate and speaker of the house.

COMPENSATION

2.10 Salaries and expenses — members of general assembly and lieutenant governor.

Members of the general assembly and the lieutenant governor shall receive salaries and expenses as provided by this section.

1. Every member of the general assembly except the speaker of the house and majority and minority floor leaders of the senate and house shall receive an annual salary of fourteen thousand six hundred dollars for the year 1985 and subsequent years while serving as a member of the general assembly. The majority and minority floor leaders of the senate and house shall receive an annual salary of seventeen thousand one hundred dollars for the year 1985 and subsequent years while serving in such capacity. In addition, each such member shall receive the sum of forty dollars per day for expenses of office, except travel, for each day the general assembly is in session commencing with the first day of a legislative session and ending with the day of final adjournment of each legislative session as indicated by the journals of the house and senate, except that in the event the length of the first regular session of the general assembly exceeds one hundred ten calendar days and the second regular session exceeds one hundred calendar days, such payments shall be made only for one hundred ten calendar days for the first session and one hundred calendar days for the second session. However, members from Polk county shall receive twenty-five dollars per day. Travel expenses shall be paid at the rate established by section 18.117 for actual travel in going to and returning from the seat of government by the nearest traveled route for not more than one time per week during a legislative session. However, any increase from time to time in the mileage rate established by section 18.117 shall not become effective for members of the general assembly until the convening of the next general assembly following the session in which the increase is adopted; and this provision shall prevail over any inconsistent provision of any present or future statute.

2. The lieutenant governor shall receive an annual salary of twenty-one thousand nine hundred dollars for the year 1985 and subsequent years. Personal expense and travel allowances shall be the same for the lieutenant governor as for a senator. The lieutenant governor while performing administrative duties of the office of lieutenant governor when the general assembly is not in session or serving as the president of the senate during special sessions of the general assembly shall receive sixty dollars per diem and reimbursement for expenses incurred in performing such duties. The salary, per diem, and expenses of the lieutenant governor provided for under this subsection, including office and staff expenses, shall be paid from funds appropriated to the office of the lieutenant governor by the general assembly.

3. The speaker of the house shall receive an annual salary of twenty-one thousand nine hundred dollars for the year 1985 and subsequent years while serving as the speaker of the house. Expense and travel allowances shall be the same for the speaker of the house as provided for other members of the general assembly.

4. When a vacancy occurs and the term of any member of the general assembly is not completed, the member shall receive a salary or compensation proportional to the length of the member's service computed to the nearest whole month. A successor elected to fill such vacancy shall receive a salary or compensation proportional to the successor's length of service computed to the nearest whole month commencing with such time as the successor is officially determined to have succeeded to such office.

5. The state comptroller shall pay the travel and expenses of the members of the general assembly and the lieutenant governor commencing with the first pay period after the names of such persons are officially certified. The salaries of the members of the general assembly and lieutenant governor shall be paid pursuant to any of the following alternative methods:

- a. During each month of the year at the same time state employees are paid.
- b. During each pay period during the first six months of each calendar year.
- c. During the first six months of each calendar year by allocating two-thirds of the annual salary to the pay periods during those six months and one-third of the annual salary to the pay periods during the second six months of a calendar year. Each member of the general assembly and the lieutenant governor shall file with the state comptroller a statement as to the method the member selects for receiving payment of salary. The presiding officers of the two houses of the general assembly shall jointly certify to the state comptroller the names of the members, officers, and employees of their respective houses and the salaries and mileage to which each is entitled. Travel and expense allowances shall be paid upon the submission of vouchers to the state comptroller indicating a claim for the same.

6. In addition to the salaries and expenses authorized by this section, members of the general assembly shall be paid forty dollars per day, except the speaker of the house who shall be paid sixty dollars per day, and necessary travel and actual expenses incurred in attending meetings for which per diem or expenses are authorized by law for members of the general assembly who serve on statutory boards, commissions, or councils, and for standing or interim committee or subcommittee meetings subject to the provisions of section 2.14, or when on authorized legislative business when the general assembly is not in session. However, if a member of the general assembly or the lieutenant governor is engaged in authorized legislative business at a location other than at the seat of government during the time the general assembly is in session, payment may be made for the actual transportation and lodging costs incurred because of the business. Such per diem or expenses shall be paid promptly from funds appropriated pursuant to section 2.12.

7. If a special session of the general assembly is convened, members of the general assembly shall receive, in addition to their annual salaries, the sum of forty dollars per day for each day the general assembly is actually in special session, and the same travel allowances and expenses as authorized by this section.

2.11 Officers and employees — compensation. Each house of the general assembly may employ such officers and employees as it shall deem necessary for the conduct of its business. The compensation of the chaplains, officers, and employees of the general assembly shall be fixed by joint action of the house and senate by resolution at the opening of each session, or as soon thereafter as conveniently can be done. Such persons shall be furnished by the state such supplies as may be necessary for the proper discharge of their duties.

2.12 Expenses of general assembly. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to pay for legislative printing and all current and miscellaneous expenses of the general assembly, authorized by either the senate or the house, and the state comptroller is hereby authorized and directed to issue warrants for such items of expense upon requisition of the president and secretary of the senate or the speaker and chief clerk of the house.

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, such sums as may be necessary, for each house of the general assembly for the payment of any unpaid expense of the general assembly incurred during or in the interim between sessions of the general assembly, including but not limited to salaries and necessary travel and actual expenses of members and expenses of standing and interim committees or subcommittees and per diem or expenses for members of the general assembly who serve on statutory boards, commissions, or councils for which per diem or expenses are authorized by law. The state comptroller is hereby authorized and directed to issue warrants for such items of expense upon requisition of the president and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, such sums as may be necessary for the renovation, remodeling, or preparations of the legislative chambers, legislative offices, or other areas or facilities used or to be used by the legislative branch of government, and for the purchase of such legislative equipment and supplies deemed necessary to properly carry out the functions of the general assembly. The state comptroller is hereby authorized and directed to issue warrants for such items of expense, whether incurred during or between sessions of the general assembly, upon requisition of the president and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

2.13 Issuance of warrants. The state comptroller shall also issue to each officer and employee of the general assembly, during legislative sessions or interim periods, upon vouchers signed by the president and secretary of the senate or the speaker and chief clerk of the house, warrants for the amount due for services rendered. Such warrants shall be paid out of any moneys in the treasury not otherwise appropriated.

COMMITTEES

2.14 Meetings of standing committees.

1. A standing committee of either house or a subcommittee when authorized by the chairperson of the standing committee, may meet when the general assembly is not in session in the manner provided in this section and upon call pursuant to the rules of the house or senate. In case of vacancy in the chair or in the chairperson's absence, the ranking member shall act as chairperson. A standing committee or subcommittee may act on bills and resolutions in the interim between the first and second regular sessions of a general assembly. The date, time and place of any meeting of a standing committee shall, by the person or persons calling the meeting, be reported to and be available to the public in the office of the director of the legislative service bureau at least five days prior to the meeting.

2. The legislative service bureau shall provide staff assistance for standing committees when authorized by the legislative council. The chairperson of the committee or subcommittee shall notify the legislative service bureau in advance of each meeting.

3. Interim studies utilizing the services of the legislative service bureau must be authorized by the general assembly or the legislative council. A standing committee may also study and draft proposed committee bills. However, unless the subject matter of a study or proposed committee bill has been assigned to a standing committee for study by the general assembly or legislative council, the services of the legislative service bureau cannot be utilized. Nonlegislative members shall not serve upon any study committee, unless approved by the legislative council. A standing committee may hold public hearings and receive testimony upon any subject matter within its jurisdiction.

Nonlegislative members of study committees shall be paid their necessary travel and actual expenses incurred in attending committee or subcommittee meetings for the purposes of the study.

4. Standing committees and subcommittees of standing committees may meet when the general assembly is not in session under the following conditions:

a. A standing committee may meet one time at the discretion of the chairperson.

b. Additional meetings of standing committees or their subcommittees shall be authorized by the legislative council; however, such authorization may be given at any one time for as many meetings as deemed necessary by the legislative council.

c. Any study committee, other than an interim committee provided for in subsection 3 of this section, which utilizes staff of the legislative service bureau may meet at such times as authorized by the legislative council.

5. When the general assembly is not in session, a member of the general assembly shall be paid forty dollars per day and necessary travel and actual expenses incurred in attending meetings of a standing committee or subcommittee of which the legislator is a member in addition to regular compensation. Such compensation and expenses shall be allowed only if the member attends a meeting of the committee or subcommittee for at least four hours.

2.15 Powers and duties of standing committees. The powers and duties of standing committees shall include, but shall not be limited to, the following:

1. Introducing legislative bills and resolutions.

2. Conducting investigations with the approval of either or both houses during the session, or the legislative council during the interim, with authority to call witnesses, administer oaths, issue subpoenas, and cite for contempt.

3. Requiring reports and information from state agencies as well as the full cooperation of their personnel.

4. Selecting nonlegislative members when conducting studies as provided in section 2.14.

5. Undertaking in-depth studies of governmental matters within their assigned jurisdiction, not only for the purpose of evaluating proposed legislation, but also for studying existing laws and governmental operations and functions to determine their usefulness and effectiveness, as provided in section 2.14.

6. Reviewing the operations of state agencies and departments.

7. Giving thorough consideration to, establishing priorities for, and making recommendations on all bills assigned to committees.

8. Preparing reports to be made available to members of the general assembly containing the committee's findings, recommendations, and proposed legislation.

A standing committee may call upon any department, agency or office in the state, or any political subdivision of the state, for such information and assistance as may be needed in the performance of its duties and the information and assistance shall be furnished to the extent that they are within the resources and authority of the department, agency, office or political subdivision. This paragraph does not require the production or opening of any records which are required by law to be kept private or confidential.

MISCELLANEOUS

2.16 Prefiling legislative bills. Any member of the general assembly or any person elected to serve in the general assembly, or any standing committee, may sponsor and submit legislative bills and joint resolutions for consideration by the general assembly, before the convening of any session of the general assembly. Each house may approve rules for placing prefiled standing committee bills or joint resolutions on its calendar. Such bills and resolutions shall be numbered, printed, and distributed in a manner to be determined by joint rule of the general assembly or, in the absence of such rule, by the legislative council. All such bills and resolutions, except those sponsored by standing committees, shall be assigned to regular standing committees by the presiding officers of the houses when the general assembly convenes.

Departments and agencies of state government shall, at least ten days prior to the convening of each session of the general assembly, submit copies to the legislative service bureau of proposed legislative bills and joint resolutions which such departments desire to be considered by the general assembly. The legislative service bureau shall review such proposals and submit them in proper form to the presiding officer in each house of the general assembly for referral to the proper standing committee.

The costs of carrying out the provisions of this section shall be paid pursuant to section 2.12.

2.17 Freedom of speech. A member of the general assembly shall not be held for slander or libel in any court for words used in any speech or debate in either house or at any session of a standing committee.

2.18 Contempt. Each house has authority to punish for contempt, by fine or imprisonment or both, any person who commits any of the following offenses against its authority:

1. Arresting a member, knowing the member to be such, in violation of the member's privilege, or assaulting, or threatening to assault, or threatening any harm to the person or property of, a member, knowing the member to be such, for anything said or done by the member in such house as a member thereof.

2. Attempting by menace, or by force, or by any corrupt means to control or influence a member in giving a vote, or to prevent giving it.

3. Disorderly or contemptuous conduct, tending to disturb its proceedings.

4. Refusal to attend, or to be sworn, or to affirm, or to be examined, as a witness before it, or before a committee thereof, when duly subpoenaed.

5. Assaulting or preventing any person going before it, or before any of its committees, by its order, the offender knowing such fact.

6. Rescuing or attempting to rescue any person arrested by its order, the offender knowing of such arrest.

7. Impeding any officer of such house in the discharge of the officer's duties as such, the offender knowing the officer's official character.

2.19 Punishment for contempt. Fines and imprisonment for contempt shall be only by virtue of an order of the proper house, entered on its journals, stating the grounds thereof.

2.20 Warrant—execution. Imprisonment for contempt shall be effected by a warrant, under the hand of the presiding officer, for the time being, of the house ordering it, countersigned by the acting secretary or clerk, in the name of the state, and directed to the sheriff or jailer of the proper county. Under such warrant, the proper officer will be authorized to commit and detain the person.

2.21 Fines—collection. Fines for contempt shall be collected by a warrant, directed to any proper officer of any county in which the offender has property, and executed in the same manner as executions for fines issued from courts of record, and the proceeds paid into the state treasury.

2.22 Punishment—effect. Imprisonment for contempt shall not extend beyond the session at which it is ordered, and shall be in a facility designated by the presiding officer.

Punishment for contempt shall not constitute a bar to any other proceeding, civil or criminal, for the same act.

2.23 Witness—attendance compulsory. Whenever a committee of either house, or a joint committee of both, is conducting an investigation requiring the personal attendance of witnesses, any person may be compelled to appear before such committee as a witness by serving an order upon the person, which service shall be made in the manner required in case of a subpoena in a civil action in the district court. Such order shall state the time and place a person is required to appear, be signed by the presiding officer of the body by which the committee was appointed, and attested by its acting secretary or clerk; or, in case of a joint committee, signed and attested by such officers of that body.

2.24 Witnesses—compensation. Witnesses called by a standing or joint committee shall be entitled to the same compensation for attendance under section 2.23 as before the district court but shall not have the right to demand payment of their fees in advance.

JOINT CONVENTIONS

2.25 Joint conventions. Joint conventions of the general assembly shall meet in the house of representatives for such purposes as are provided by law. The president of the senate, or, in the president's absence, the president pro tempore of the senate shall preside at such joint conventions.

The speaker of the house of representatives may, for purposes of canvass of votes for governor and lieutenant governor and for the inauguration of such officers,

designate any suitable hall at the seat of government as the hall of the house of representatives.

2.26 Secretary—record. The clerk of the house of representatives shall act as secretary of the convention, and the clerk and the secretary of the senate shall keep a fair and correct record of the proceedings of the convention, which shall be entered on the journal of each house.

2.27 Canvass of votes for governor. The general assembly shall meet in joint session on the same day the assembly first convenes in January of 1979 and every four years thereafter as soon as both houses have been organized, and canvass the votes cast for governor and lieutenant governor and determine the election. If an election is necessary under section 69.13(1) to fill a vacancy in the office of lieutenant governor, the general assembly shall similarly meet on the day it convenes in the January following that election and canvass the vote cast for the office. When the canvass is completed, the oath of office shall be administered to the persons or person so declared elected. Upon being inaugurated the governor shall deliver to the joint assembly any message the governor may deem expedient.

2.28 Tellers. After the time for the meeting of the joint convention has been designated each house shall appoint three tellers, and the six shall act as judges of the election.

Canvassing the votes for governor and lieutenant governor shall be conducted substantially according to the provisions of sections 2.25 to 2.28.

2.29 Election—vote—how taken—second poll. When any officer is to be elected by joint convention, the names of the members shall be arranged in alphabetical order by the secretaries, and each member shall vote in the order in which the member's name stands when so arranged. The name of the person voted for, and the names of the members voting, shall be entered in writing by the tellers, who, after the secretary shall have called the names of the members a second time, and the name of the person for whom each member has voted, shall report to the president of the convention the number of votes given for each candidate.

If no person shall receive the votes of a majority of the members present, a second poll may be taken, or as many polls as may be required until some person receives a majority.

2.30 Certificates of election. When any person shall have received a majority of the votes, the president shall declare the person to be elected, and shall, in the presence of the convention, sign two certificates of such election, attested by the tellers, one of which the president shall transmit to the governor, and the other shall be preserved among the records of the convention and entered at length on the journal of each house. The governor shall issue a commission to the person so elected.

2.31 Adjournment. If the purpose for which the joint convention is assembled is not concluded, the president shall adjourn or recess the same from time to time as the members present may determine.

SENATE CONFIRMATIONS

2.32 Confirmation of appointments—procedures.

1. The governor shall either make an appointment or file a notice of deferred appointment by March 15 for the following appointments which are subject to confirmation by the senate:

a. An appointment to fill a term beginning on May 1 of that year.

b. An appointment to fill a vacancy, other than as provided for in paragraph "d," existing prior to the convening of the general assembly in regular session in that year.

c. An appointment to fill a vacancy, other than as provided for in paragraph "d," which is known, prior to the convening of the general assembly in regular session, will occur before May 1 of that year.

d. An appointment to fill a vacancy existing in a full-time compensated position on December 15 prior to the convening of the general assembly.

2. If a vacancy in a position requiring confirmation by the senate, other than a full-time compensated position, occurs after the convening of the general assembly in regular session, the governor shall, within sixty calendar days after the vacancy occurs, either make an appointment or file a notice of deferred appointment unless the general assembly has adjourned its regular session before the sixty-day period expires. If a vacancy in a full-time compensated position requiring senate confirmation occurs after December 15, the governor shall, within ninety calendar days after the vacancy occurs, make an appointment or file a notice of deferred appointment unless the general assembly has adjourned its regular session before the ninety-day period expires.

3. If an appointment is submitted pursuant to subsection 1, the senate shall by April 15 of that year either approve, disapprove or by resolution defer consideration of confirmation of the appointment. If an appointment is submitted pursuant to subsection 2, the senate shall either approve, disapprove or by resolution defer consideration of confirmation of the appointment within thirty days after receiving the appointment from the governor. The senate may defer consideration of an appointment until a later time during that session, but the senate shall not adjourn that session until all appointments submitted pursuant to this section are approved or disapproved.

Sixty days after a person's appointment has been disapproved by the senate, that person shall not serve in that position as an interim appointment or by holding over in office and the governor shall submit another appointment or file a notice of deferred appointment before the sixty-day period expires.

4. The governor shall submit all appointments requiring confirmation by the senate and notices of deferred appointment to the secretary of the senate who shall provide the governor's office with receipts of submission. Each notice of appointment shall be accompanied by a statement of the appointee's political affiliation. The notice of a deferred appointment shall be filed by the governor with the secretary of the senate and accompanied by a statement of reasons for the deferral.

5. The senate shall adopt rules governing the referral of appointments to committees, the reports of committees on appointments, and the confirmation of appointments by the senate.

6. The confirmation of every appointment submitted to the senate requires the approval of two-thirds of the members of the senate.

7. The governor shall file by February 1 with the secretary of the senate a list of all the appointment positions requiring gubernatorial action pursuant to subsection 1. The secretary of the senate shall provide the governor a written acknowledgement of the list within five days of its receipt. The senate shall approve the list or request corrections by February 15.

2.33 Differential treatment. The general assembly shall not pass a bill that uses gender as the basis for differential treatment unless there is a compelling reason for the differential treatment and no reasonable alternatives exist by which the treatment could be mitigated or avoided. 84 Acts, ch 1042, §1.

2.34 Reserved.

COMMUNICATIONS REVIEW COMMITTEE

2.35 Communications review committee established. There is established a communications review committee which shall consist of three members of the senate appointed by the president of the senate and three members of the house of representatives appointed by the speaker of the house. The committee shall select a chairperson and vice chairperson. Meetings may be called by the chairperson or a majority of the members.

Members shall be appointed prior to the adjournment of the first regular session of each general assembly and shall serve for terms ending upon the convening of the following general assembly or when their successors are appointed, whichever is later. Vacancies shall be filled in the same manner as original appointments and shall be for the remainder of the unexpired term of the vacancy. The members of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of their duties and shall receive forty dollars for each day in which engaged in the performance of their duties. However, per diem compensation and expenses shall not be paid when the general assembly is actually in session at the seat of government. Expenses and per diem shall be paid from funds appropriated pursuant to section 2.12.

Administrative assistance shall be provided by the legislative service bureau to the extent possible.

2.36 Duties of committee. The committee shall review the present and proposed uses of communications by state agencies and the development of a statewide communications plan, including a review of the work of the state communications advisory council established in section 18.136. It shall meet as often as deemed necessary and annually shall make recommendations to the legislative council and the general assembly, accompanied by bill drafts to implement its recommendations.

2.37 to 2.39 Reserved.

2.40 Membership in state insurance plans. A member of the general assembly may elect to become a member of a state health or medical service group insurance plan for employees of the state established under chapter 509A subject to the following conditions:

1. The member shall pay the total premium for the plan selected.
2. The member shall authorize a payroll deduction of the total premium during the member's pay plan selected pursuant to subsection 5 of section 2.10.
3. The premium rate will be the same as the premium rate paid by a state employee for the plan selected except the state will provide no matching funds.

In order to implement this section a member of the general assembly may elect to become a member of a state health or medical service group insurance plan effective July 1, 1983 or as otherwise authorized in the contract of the state. If a member of the general assembly elected to be paid the member's total salary during each pay period during the first six months of 1983, that member may become a member of the state

health or medical service group insurance plan by paying the premium due until that member's salary and payroll deductions commence. 83 Acts, ch 205, §21.

LEGISLATIVE COUNCIL

2.41 Legislative council created. There is hereby created a continuing legislative council of twenty members which shall be entitled the legislative council. The council shall be composed of the president pro tempore of the senate, the speaker of the house of representatives, the majority and minority floor leaders of the senate, the chairperson of the senate committee on budget, the minority party ranking member of the senate committee on budget, five members of the senate appointed by the president of the senate, the majority and minority floor leaders of the house of representatives, the chairperson of the house committee on budget, the minority party ranking member of the house committee on budget, and five members of the house of representatives appointed by the speaker of the house of representatives. The lieutenant governor shall be an ex officio nonvoting member of the council. Of the five members appointed by the president of the senate and speaker of the house, three from each house shall be appointed from the majority party and two from each house shall be appointed from the minority party. Members shall be appointed prior to the fourth Monday in January of the first regular session of each general assembly and shall serve for two-year terms ending upon the convening of the following general assembly or when their successors are appointed. Vacancies on the council, including vacancies which occur when a member of the council ceases to be a member of the general assembly, shall be filled by the president of the senate and the speaker of the house respectively. Insofar as possible at least two members of the council from each house shall be reappointed. The council shall hold regular meetings at a time and place fixed by the council and shall meet at any other time and place as the council may deem necessary.

2.42 Powers and duties of council. The legislative council shall select its officers and prescribe its rules and procedure. The powers and duties of the council shall include, but not be limited to, the following:

1. To establish policies for the operation of the legislative service bureau, including the priority to be given to research requests and the distribution of research reports.
2. To appoint the director of the legislative service bureau for such term of office as may be set by the council.
3. To prepare reports to be submitted to the general assembly at its regular sessions.
4. To appoint interim study committees consisting of members of the legislative council and members of the general assembly of such number as the council shall determine. Nonlegislative members may be included on such committees when the council deems the participation of such members advantageous to the conduct of the study.
5. To conduct studies and evaluate reports of studies assigned to study committees and make recommendations for legislative or administrative action thereon. Recommendations shall include such bills as the legislative council may deem advisable.
6. To co-operate with other states to discuss mutual legislative and governmental problems.

7. To recommend staff for the legislative council and the standing committees in co-operation with the chairperson of such standing committees.

8. To recommend changes or revisions in the senate and house rules and the joint rules for more efficient operation of the general assembly and draft proposed rule amendments, resolutions, and bills as may be required to carry out such recommendations, for consideration by the general assembly.

9. To recommend to the general assembly the names and numbers of standing committees of both houses.

10. To establish rules for the style and format for drafting and preparing of legislative bills and resolutions.

11. To appoint the Code editor, establish the salaries of the persons employed in that office and establish policies with regard to the printing and publishing of the Iowa administrative code and bulletin, the Code of Iowa and session laws, including but not limited to: The style and format to be used in publishing such documents, the frequency of publications, the contents of such publications, the numbering system to be used in the Code and session laws, the preparation of editorial comments or notations, the correction of errors, the type of print to be used, the number of volumes to be published, recommended revisions of the Code and session laws, the letting of contracts for the publication of the Code and session laws, and any other matters deemed necessary to the publication of a uniform and understandable Code of laws.

12. To establish policies for the operation of the legislative fiscal bureau.

13. To appoint the director of the legislative fiscal bureau for such term of office as may be set by the council.

14. To hear and act upon appeals of aggrieved employees of the legislative service bureau, legislative fiscal bureau, and the office of the citizens' aide pursuant to such rules of procedure as may be established by the council.

15. To fix the compensation of the director of the legislative oversight bureau.

16. Authority to review proposed rules and forms submitted by the supreme court pursuant to section 602.4202.

2.43 General supervision over legislative facilities, equipment, and arrangements. The legislative council in co-operation with the officers of the senate and house shall have the duty and responsibility for preparing for each session of the general assembly. Pursuant to such duty and responsibility, the legislative council may assign areas in the state capitol or other state buildings, in consultation with the director of the department of general services and the capitol planning commission, for use of the general assembly or legislative agencies. The legislative council may authorize the renovation, remodeling and preparation of the physical facilities used or to be used by the general assembly or legislative agencies subject to the jurisdiction of the legislative council and award contracts pursuant to such authority to carry out such preparation. The legislative council may purchase supplies and equipment deemed necessary for the proper functioning of the legislative branch of government.

In carrying out its duties under this section, the legislative council shall consult with the director of the department of general services and the capitol planning commission, but shall not be bound by any decision of the director in respect to the responsibilities and duties provided for in this section. The legislative council may direct the director of the department of general services or other state employees to carry out

its directives in regard to the physical facilities of the general assembly, or may employ other personnel to carry out such functions.

The costs of carrying out the provisions of this section shall be paid pursuant to section 2.12.

2.44 Expenses of council and special interim committees. Members of the legislative council shall be reimbursed for actual and necessary expenses incurred in the performance of their duties, and shall receive a per diem of forty dollars for each day in which engaged in the performance of such duties. However, such per diem compensation and expenses shall not be paid when the general assembly is actually in session at the seat of government. Such expenses and per diem shall be paid in the manner provided for in section 2.12.

Members of special interim study committees which may from time to time be created and members of the legislative fiscal committee who are not members of the legislative council shall be entitled to receive the same expenses and compensation provided for the members of the legislative council.

2.45 Committees of the legislative council. The legislative council shall be divided into committees, which shall include but not be limited to:

1. The legislative service committee which shall be composed of six members of the legislative council, consisting of three members from each house, to be appointed by the legislative council. The legislative service committee shall select a chairperson from its membership, and shall determine policies relating to the operation of the legislative service bureau, subject to the approval of the legislative council.

2. The legislative fiscal committee, which shall be composed of the chairpersons or their designated committee member and the ranking minority party members or their designated committee member of the committees of the house and senate responsible for developing a state budget and appropriating funds, the chairpersons or their designated committee members and the ranking minority party members or their designated committee member of the committees on ways and means, and two members, one appointed from the majority party of the senate by the president of the senate and one appointed from the majority party of the house by the speaker of the house of representatives. In each house, unless one of the members who represent the committee on ways and means is also a member of the legislative council, the person appointed from the membership of the majority party in that house shall also be appointed from the membership of the legislative council. The legislative fiscal committee shall determine policies for the legislative fiscal bureau and shall direct the administration of performance audits and visitations, subject to the approval of the legislative council.

3. The legislative administration committee which shall be composed of six members of the legislative council, consisting of three members from each house, to be appointed by the legislative council. The legislative administration committee shall perform such duties as are assigned it by the legislative council.

2.46 Duties. The legislative fiscal committee may, subject to the approval of the legislative council:

1. *Budget.* Gather information relative to budget matters for the purpose of aiding the legislature to properly appropriate money for the functions of government, and to report their findings to the legislature.

2. *Examination.* Examine the reports and official acts of the executive council and

of each officer, board, commission, and department of the state, in respect to the conduct and expenditures thereof and the receipts and disbursements of public funds thereby.

3. *Reorganization.* Make a continuous study of all offices, departments, agencies, boards, bureaus and commissions of the state government and shall determine and recommend to each session of the legislature what changes therein are necessary to accomplish the following purposes:

a. To reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of state government.

b. To increase the efficiency of the operations of the state government to the fullest extent practicable within the available revenues.

c. To group, co-ordinate, and consolidate judicial districts, agencies and functions of the government, as nearly as may be according to major purposes.

d. To reduce the number of offices, agencies, boards, commissions, and departments by consolidating those having similar functions, and to abolish such offices, agencies, boards, commissions and departments, or functions thereof, as may not be necessary for the efficient and economical conduct of state government.

e. To eliminate overlapping and duplication of effort on the part of such offices, agencies, boards, commissions and departments of the state government.

4. *Administration of legislative data base.* Determine the policy for the content and administration of a legislative data base.

5. *Information needs determination.* Determine the information needs of the general assembly and report them to the state comptroller who shall consider such needs in establishing the operating policies for a data base management system.

2.47 Procedure. The chairpersons of the committees on budget shall serve as cochairpersons of the legislative fiscal committee. The legislative fiscal committee shall determine its own method of procedure and shall meet as often as deemed necessary, subject to the approval of the legislative council. It shall keep a record of its proceedings which shall be open to public inspection, and it shall inform the legislative council in advance concerning the dates of meetings of the committee.

LEGISLATIVE FISCAL BUREAU

2.48 Legislative fiscal bureau established. There is established a legislative fiscal bureau which shall operate under the direction and control of the legislative fiscal committee, subject to the approval of the legislative council. The administrative head of the legislative fiscal bureau shall be the legislative fiscal director. The legislative fiscal bureau shall co-operate with and serve all members of the general assembly, the legislative fiscal committee, and committees of the general assembly.

The legislative fiscal director shall be appointed by the legislative council, upon recommendation of the legislative fiscal committee. The director's compensation, and the compensation of employees of the legislative fiscal bureau, shall be fixed by the legislative council.

2.49 Functions of legislative fiscal bureau. The legislative fiscal bureau shall:

1. By continuous review of state expenditures, revenues and analysis of budget through an audit, performance audit, and preaudit, if necessary, or such other means deemed necessary, ascertain the facts, compare cost, workload and other data, and

make recommendations to the general assembly concerning the state's budget and revenue of the departments, boards, commissions, and agencies of the state.

2. Report to the legislative fiscal committee as required by the legislative fiscal committee and the legislative council and to the general assembly after the convening of each legislative session of a general assembly and make such other reports as may be required by either the legislative council or the general assembly.

3. Furnish information and act in an advisory capacity to the committees on budget and committees on ways and means of the general assembly and their several subcommittees when so requested.

4. Assist standing committees and members of the general assembly in attaching fiscal notes to legislative bills and resolutions as provided by the rules of the general assembly.

5. Submit to each member of the general assembly quarterly a report of the current status of major state funds, a comparison of income with estimates used by the general assembly and other revenue and expenditure information which the legislative fiscal committee determines will be informative for members of the general assembly. The state comptroller shall co-operate with the legislative fiscal bureau in the development of the report. The legislative fiscal committee shall approve the style and format of the report.

6. Perform such other duties as shall be assigned to the bureau by the legislative fiscal committee or by the general assembly.

2.50 Duties of legislative fiscal director. The legislative fiscal director shall:

1. Employ and supervise all employees of the legislative fiscal bureau in such positions and at such salaries as shall be authorized by the legislative council.

2. Supervise all expenditures of the legislative fiscal bureau with the approval of the legislative council.

3. Attend, or designate a representative who shall attend, the budget hearings required by section 8.26 and may offer explanations or suggestions and make inquiries with respect to such budget hearings.

2.51 Visitations. The legislative fiscal committee, with the approval of the legislative council, may direct a subcommittee, which shall be composed of the chairpersons and minority party ranking members of the appropriate subcommittees of the committees on budget of the senate and the house of representatives and the chairpersons of the appropriate standing committees of the general assembly, to visit the offices and facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs. When the legislative fiscal committee visits the offices and facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs, there shall be included the chairpersons and minority party ranking members of the appropriate subcommittees of the committees on budget of the senate and the house of representatives. The legislative council may appoint a member of the subcommittee or standing committee to serve in place of that subcommittee's or standing committee's chairperson or minority party ranking member on the legislative fiscal visitation committee or subcommittee if that person will be absent. The subcommittee and the legislative fiscal committee shall be provided with information by the

legislative fiscal bureau concerning budgets, programs, and legislation authorizing programs prior to any visitation. Members of a committee shall be compensated pursuant to section 2.10, subsection 6. The subcommittee shall make reports and recommendations as required by the legislative fiscal committee.

2.52 Access. The director and agents and employees of the legislative fiscal bureau shall at all times have access to all state offices, departments, agencies, boards, bureaus, and commissions of the state, its political subdivisions and private organizations providing services to individuals under contracts with state agencies, and to the books, records, and other instrumentalities and properties used in the performance of their statutory duties or contractual arrangements. All offices, departments, agencies, boards, bureaus, and commissions of the state and its political subdivisions and such private organizations shall co-operate with the director, and shall make available such books, records, instrumentalities, and property.

If the information sought by the legislative fiscal bureau is required by law to be kept confidential, the bureau shall have access to the information, but shall maintain the confidentiality of the information and is subject to the same penalties as the lawful custodian of the information for dissemination of the information. However, the legislative fiscal bureau shall not have access to tax return information except for individual income tax sample data as provided in section 422.72, subsection 1.

2.53 Actuarial services. Repealed by 83 Acts, ch 200, §14.

2.54 Repealed by 68GA, ch 1011, §4; see §2.46.

2.55 Program evaluations.

1. The general assembly may by concurrent resolution or the legislative council may direct the legislative fiscal bureau to conduct a program evaluation of any agency of the state government. Upon the passage of the concurrent resolution or receiving the direction of the legislative council, the legislative fiscal director shall inform the chairpersons of the committees responsible for appropriations of the anticipated cost of the program evaluation and the number and nature of additional personnel needed to conduct the program evaluation and shall notify the official responsible for the program to be evaluated.

2. In conducting the program evaluation, the legislative fiscal bureau shall make certain determinations including but not limited to the following:

a. Whether the state agency is conducting programs and activities and expending funds appropriated to it in compliance with the Acts of the general assembly, the Code, and any federal, state or local rules which are applicable.

b. Whether the state agency is conducting authorized activities and programs pursuant to objectives intended by the general assembly.

c. Whether the state agency is conducting programs and activities and expending funds appropriated to it in an efficient and effective manner.

d. Whether there are areas in which significant inconsistency, duplication, or overlapping of activities or programs occur either within the agency or with respect to other agencies or programs.

e. The productivity of the agency's operations measured in terms of cost-benefit relationships or other accepted measures of effectiveness.

3. Upon the completion of the program evaluation, the legislative fiscal director

shall provide a copy of the report to the governing official or board of the agency and afford the agency a reasonable opportunity to respond to the findings and recommendations of the report. The response shall be included in the report and the report released to the legislative council. Until its release the report shall be regarded as confidential by all persons properly having custody of it.

4. The legislative fiscal director shall establish a division in the legislative fiscal bureau to conduct program evaluations. Members of the legislative fiscal bureau assigned to the program evaluation division may assist and be assisted by other members of the bureau in their respective duties.

2.56 to 2.57 Reserved.

LEGISLATIVE SERVICE BUREAU

2.58 Service bureau. There is hereby created a legislative service bureau which shall operate under the direction and control of the legislative council. The administrative head of the legislative service bureau shall be the director of the bureau. The bureau shall co-operate with and serve all members of the general assembly, the legislative council, and committees of the general assembly. It shall upon proper request of members and committees of the general assembly prepare research reports upon any governmental matter. Such research reports and the findings therein shall not contain any recommendations. The bureau shall assist and serve any standing or interim committee of the general assembly upon request, approved by the legislative council. The bureau shall draft and prepare bills for committees and individual members of the general assembly. Research and bill drafting requests made between sessions shall be in the manner provided for by the legislative council. The legislative council shall have the sole power and duty to allocate the work load of the bureau but may delegate such duty to the legislative service bureau director.

2.59 Director. The director of the service bureau shall serve on a full-time basis and shall have the following powers and duties:

1. The director shall be in charge of the research and bill drafting functions of the bureau.

2. The director shall employ and supervise all employees of the legislative service bureau in such positions and at such salaries as shall be authorized by the legislative council.

3. To employ, with the approval of the legislative council or its chairperson, such temporary employees as may be required to provide research and bill drafting services prior to and during sessions of the general assembly. Such employees shall be under the supervision of the director and shall be paid from the funds appropriated to the bureau.

4. With the approval of the legislative council or its chairperson, the director may employ such technical consultants as may be necessary to provide research and bill drafting services on a salary or fee basis.

2.60 Salary of director. The salary of the director of the legislative service bureau shall be set by the legislative council.

2.61 Requests for research. Requests for research on governmental matters may be made to the legislative service bureau by either house of the general assembly, committees of either house of the general assembly, special interim committees of the general assembly, the legislative council, or upon petition by twenty or more members

of the general assembly. Any legislative committee may request the service bureau to do research on any matter under consideration by such committee. For each such request the legislative council may, if deemed advisable, authorize a special interim study committee to conduct the research study or may request a standing committee to conduct such study. Members on a study committee shall be appointed by the council and shall consist of at least one member of the council and such other members of the majority and minority parties of the senate and the house of representatives as the council may designate. As far as practicable, a study committee shall include members of standing committees concerned with the subject matter of the study. No legislator shall serve on more than two study committees. Nonlegislative members having special knowledge of the subject under study may be appointed by the council to a study committee but such members shall be nonvoting members of such committee. The legislative service bureau shall assist study committees on research studies when authorized by the legislative council.

2.62 Powers. Special interim study committees shall have the following powers and duties:

1. Elect officers and adopt necessary rules for the conduct of business.
2. Conduct research on any matter connected with the study assigned by the legislative council.
3. Hold hearings.
4. Make regular progress reports to the legislative council.
5. Make a report, which may include recommendations, to the legislative council. Copies of study committee reports shall be made available to members of the general assembly and may be made available to other interested individuals upon request. The reports shall not be final until approved by the legislative council.

2.63 Meetings. Special interim study committees shall first meet at the call of the ranking legislative council member assigned to the study committee, and shall thereafter meet at such time as study committee members shall so designate. Any legislator may attend any study committee meeting or any hearing held by a study committee. All study committee meetings shall be open to the public.

2.64 Assistance by bureau. The legislative service bureau may provide the following assistance to standing and special interim study committees, as authorized by the legislative council:

1. Handle administrative affairs, including correspondence, record keeping, and scheduling of meetings.
2. Perform the research required for any study. Priority for studies shall be determined by the legislative council.
3. Arrange for the help of state employees and technical consultants whose assistance is needed.
4. Prepare research reports, and, upon the request of a committee, prepare that committee's report.

2.65 Information and assistance. The legislative service bureau may call upon any department, agency or office in the state, or any political subdivision of the state, for such information and assistance as may be needed in the performance of the duties of the service bureau and such information and assistance shall be furnished insofar as the same shall be within the resources and authority of such departments, agencies, offices, and political subdivisions. Nothing herein shall be construed to require the production or opening of any public records which are required by law to be kept private or confidential.

The service bureau may co-operate with other states and the federal government in the exchange of research reports, information, and materials.

2.66 Office and supplies—expenses. The office of the service bureau shall be located in the statehouse. Supplies, postage, and equipment may be requisitioned from the department of general services. Expenses of the legislative service bureau shall be paid upon the approval of the director of the bureau and, if an extraordinary expense, upon the approval of the legislative council or its chairperson. Funds appropriated for per diem and expenses of the legislative council, legislative fiscal committee, and special interim study committees shall be paid and administered in the manner provided by the legislative council.

2.67 Expired December 31, 1980; 66GA, ch 1055, §1(3).

2.68 Cities authorized to draw proposed precincts. The council of any city which concludes that it is likely to be necessary or desirable to redraw precincts in that city after the 1980 federal decennial census may cause proposed precinct boundaries to be drawn not later than January 31, 1977, in accordance with all applicable requirements of law except that more recent indicators of population may be used in lieu of data from the 1970 federal decennial census. The proposed precinct boundaries shall be of no current legal force or effect in administration of elections or of any other governmental function, and drawing them shall not constitute a violation of section 49.3. Proposed precinct boundaries so drawn may be submitted to the census liaison commission for use in developing a plan and form for reporting of population data from the 1980 federal decennial census for districting purposes.

Nothing in this section shall be construed to commit any city which has prepared proposed precinct boundaries to adopt those boundaries in compliance with sections 49.3 and 49.7 subsequent to the 1980 federal decennial census, nor to commit the general assembly to follow the proposed precinct boundaries in any redistricting required after that census.

2.69 to 2.75 Reserved.

LEGISLATIVE OVERSIGHT BUREAU
Repealed January 1, 1988; 67GA, ch 1026, §10

2.76 Intent. It is the intent of the general assembly to establish in the legislative branch of government the capability to independently and intensively review the performance of state agencies in operating the programs established by the general assembly, to evaluate their efficiency and effectiveness and to consider alternatives which may improve the benefits of a program or may reduce its costs to the citizens. The bureau established by this division is intended to provide the technical and professional support for the general assembly's oversight responsibility.

2.77 Legislative oversight bureau. There is established a legislative oversight

bureau. The director of the legislative oversight bureau shall be a person qualified by education, training and experience. The director shall be appointed upon the nomination of the legislative council and the confirmation of that nomination by two-thirds of the members of each house of the general assembly. The initial director shall not be an employee of the state of Iowa.

When a vacancy in the office of the director occurs during the legislative interim, the nomination shall be submitted to the general assembly within thirty days of its convening and must be acted upon by each house within sixty days of its submission. When a vacancy occurs during the legislative session, the nomination shall be submitted within sixty days of the occurrence of the vacancy and must be acted upon by each house within sixty days of its submission unless the general assembly adjourns prior to the expiration of this schedule. If the general assembly adjourns prior to the expiration of this schedule, the nomination may be resubmitted as though the vacancy occurred during the legislative interim. The director may be removed from office for cause by a vote of two-thirds of the members of each house of the general assembly.

Each director shall be appointed to a term of eight years and shall be eligible for only one reappointment. A person nominated as director may serve as an acting director until the nomination is confirmed or rejected by the general assembly. The compensation of the director shall not be reduced during the director's term in office.

A person shall not become a candidate for any elective office nor participate in any partisan political activity while serving as director or acting director. Any director who becomes a candidate contrary to this provision shall thereby be deemed to have resigned.

2.78 Powers and duties of the director. The director of the legislative oversight bureau shall:

1. Employ and supervise all employees of the legislative oversight bureau at such salaries and in such positions and professional disciplines as are within the limits of its appropriation.

2. Establish policies and procedures for the conduct of performance audits and program evaluations.

3. Conduct performance audits and program evaluations of agencies and programs of the state government, area education agencies established in chapter 273, and area vocational schools and community colleges defined in chapter 280A upon the request of a standing committee or budget subcommittee of the general assembly.

4. Determine the priority of performance audit and program evaluation requests and allocate the workload of the legislative oversight bureau. The director shall submit the priority ranking of the requests for approval to a committee composed of two members of the majority party and two members of the minority party of each house of the general assembly. The presiding officer of each house of the general assembly shall appoint the members from that house for a term of four years and shall consider, in making the appointments, the membership of the appropriate standing committees. The votes of five members of the committee shall be required to disapprove of the priority ranking.

5. Make an annual report to the general assembly of the performance audits and program evaluations conducted and in progress and of the condition of the legislative oversight bureau.

The director of the legislative oversight bureau may:

6. Employ such technical consultants as may be necessary to conduct a performance audit or program evaluation.

7. Conduct performance audits and program evaluations upon the request of six members of the general assembly.

8. Conduct performance audits and program evaluations upon the request of the governor.

The director shall not conduct an examination of the programming of a broadcasting facility under the control of the state board of regents, the board of directors of a merged area, or the state educational radio and television facility board.

The director shall not conduct an examination which would be contrary to the academic freedom of area community colleges or the institutions under the state board of regents. The director shall not conduct an examination of the instruction or research methods or the contents of the curricula of such institutions. For the purposes of this paragraph, "academic" includes teaching, research or educational activities.

2.79 Access to records. The director and the agents and employees of the legislative oversight bureau shall at all times have access to all offices, departments, agencies, boards, bureaus, and commissions of the state, its political subdivisions and private organizations providing services to individuals under a contract with a state agency, and to the books, records, and other instrumentalities and properties used in the performance of their statutory duties or contractual arrangements. All offices, departments, agencies, boards, bureaus and commissions of the state, its political subdivisions and such private organizations shall co-operate with the director in the performance of the foregoing duty, and shall make available such books, records, instrumentalities, and property.

The director shall have the power to issue subpoenas for production of any records, books or papers to which the director is authorized to have access. If any person subpoenaed refuses to produce the records, books or papers, the director may apply to the district court having jurisdiction over that person for the enforcement of the subpoena.

If the information sought by the legislative oversight bureau is required by law to be kept confidential, the bureau shall have access to the information, but shall maintain the confidentiality of the information and shall be subject to the same penalties for dissemination of the information.

However, the bureau shall not have access to the following:

1. Personal information in academic records regarding a student, prospective student, or former student of the educational institution or agency maintaining the records.

2. Medical and hospital records of the condition, diagnosis, care or treatment of a patient or former patient, including outpatients.

3. Intraoffice memoranda and working papers of the governor and the governor's staff and of the judges of supreme, appellate, and district courts and their clerks and assistants. The director shall inform the administrative head of the agency or political subdivision as to the reason for the investigation of its confidential records.

The legislative oversight bureau shall only require information which an agency is presently collecting unless the director determines that additional information is necessary to the performance audit and is within the agency's authority to collect.

2.80 Performance audits and program evaluations.

1. The director after consulting with the responsible official and the requesting party shall determine the goals of the agency or program for the purpose of the performance audit or program evaluation.

2. The legislative oversight bureau at the direction of the director shall independently examine state agencies and programs to determine the following:

a. The organizational framework of the agency, its adequacy and relationship to the overall structure of the state government.

b. Areas in which significant inconsistency, duplication, or overlapping of activities or programs occur either within the agency or with respect to other agencies or programs.

c. Statewide or interagency co-ordinating or administration practices and their impact upon specific programs or agencies.

d. Whether the program under the agency's jurisdiction could be more effective if consolidated with another program, transferred to another agency, modified or abolished.

e. The productivity of the agency's operations measured in terms of cost-benefit relationships or other accepted measures of effectiveness.

f. The agency's attainment of or progress toward identifiable goals established by statute, specific legislative intent, the budget, the governor, or a long range plan.

g. Agency and statewide management systems and housekeeping functions including accounting procedures, personnel practices, planning activities, reporting and recordkeeping applications, staff qualifications, employment ratios, budget controls, purchasing transactions, communications patterns, public relations, and other related functions.

h. Agency or statewide administrative or program delivery techniques which are innovative, novel, experimental or unique in achieving greater efficiency, reduced costs, improved use of resources or increased responsiveness to expressed or anticipated needs.

i. Agency or statewide state-federal relationships, financial exchanges, program co-ordination, administration and other joint activities.

j. Agency and program relationships between the state and its political subdivisions analyzing significant areas of state and local government contact and identifying mutual or opposing program directions and areas of duplicatory or overlapping programs.

k. The agency's or program's adherence to statutory requirements and diligence in executing functions assigned by law or policies established by the governor.

l. The agency's or program's responsiveness to anticipated public attitudes, citizen needs or state problems.

m. The statewide, agency or program regulatory, reporting or recordkeeping requirements and the burdens imposed upon the general public, political subdivisions, commercial enterprise or other entities in the state.

n. Whether the financial operations of the agency or program are properly conducted, its financial reports are presented fairly, and whether the agency or program has complied with the applicable laws.

o. Whether the agency or program is managing or using its resources in an efficient and economical manner and if not, to determine the causes.

p. Whether the objectives established by the general assembly are being met, and whether alternatives which might produce the desired results at a lower cost have been considered.

q. Whether administrative or statutory changes are needed to achieve the intent of the general assembly.

r. Other criteria determined by the director.

3. The legislative service bureau, legislative fiscal bureau, auditor of state, state comptroller and citizens' aide shall co-operate with the legislative oversight bureau in providing information which they may have concerning the agency or program to be evaluated. Employees of the legislative fiscal bureau may be interchanged with the legislative oversight bureau pursuant to chapter 28D.

4. The director shall maintain as a public record an index of all performance audit and program evaluation requests showing the requesting party, the subject agency and the date the request was made.

2.81 Reports. At the conclusion of an audit or evaluation, the director of the legislative oversight bureau shall provide copies to the governor and to the official whose office is the subject of the audit or evaluation. The official shall be given thirty days by the director to respond to the findings and recommendations of the audit or evaluation, and the response shall be included in the report. A summary of the findings and recommendations shall accompany each report. A report of an audit or evaluation initiated by the director shall be released upon its completion. A report of a requested audit or evaluation shall be submitted to the requesting party and released fifteen days after submission if the requesting party is a standing committee or budget subcommittee or ten days if the requesting party is other than a standing committee or budget subcommittee unless the requesting party directs an earlier release. The report shall be regarded as confidential by all persons properly having custody of it until the report is released as provided by this section. Upon the release of a report, the director shall provide copies to the presiding officer of each house of the general

assembly for referral to the appropriate standing committee and budget subcommittee. At the conclusion of an audit or evaluation, the director shall report the total costs of conducting each audit including the total costs to the agency or program being audited as a part of the audit report.

2.82 to 2.90 Reserved.

BOUNDARY COMMISSION

2.91 Iowa boundary commission.

1. There is established an Iowa boundary commission which shall consist of three members of the senate appointed by the president of the senate and three members of the house of representatives appointed by the speaker of the house. The commission shall select a chairperson and shall meet at the call of the chairperson.

2. Members shall be appointed to a term of four years commencing on July 1 of the year of appointment. Vacancies shall be filled in the same manner as original appointments and shall be for the remainder of the unexpired term of the vacancy. The members of the commission shall be reimbursed for actual and necessary expenses incurred in the performance of their duties and shall receive forty dollars for each day in which engaged in the performance of such duties. However, such per diem compensation and expenses shall not be paid when the general assembly is actually in session at the seat of government. Per diem and expenses of the commission and its members shall be paid from funds appropriated pursuant to section 2.12.

3. The commission is authorized to meet with appropriate representatives of affected states, agencies of those states and Iowa, and agencies of the United States to discuss Iowa's boundaries and problems related to those boundaries and to make periodic reports and recommendations to the general assembly. The commission is authorized to expend reasonable sums for the purchase of maps and other information helpful to its discussions.

4. The commission may hold hearings with authority to call witnesses, administer oaths, issue subpoenas, and cite for contempt.

5. If a proposal is negotiated between Iowa and affected states after meetings authorized under this section, the attorney general of this state shall assist the commission in drafting the necessary documents to be approved by the Iowa general assembly in preparation for the ratification of agreements between Iowa and affected states.

Staff assistance for meetings of the commission shall be provided by the legislative service bureau.

For the initial board, the president of the senate and the speaker of the house shall each appoint pursuant to this section on July 1, 1978, one member to a two-year term and two members to a four-year term.

COMPENSATION COMMISSION

2A.1 Commission established. There is established a commission to be known as the commission on compensation, expenses and salaries for elected state officials, hereinafter referred to as "the commission". The commission shall be composed of fif-

teen members, five of whom shall be appointed by the governor, five of whom shall be appointed by the president of the senate, and five of whom shall be appointed by the speaker of the house of representatives. Members of the commission shall be appointed without regard to political affiliation and shall not be state officials or employees, employees of any state department, board, commission, or agency or of any political subdivision of the state.

2A.2 Terms. Members of the commission shall serve for a term of office of five years, and for the initial commission, one member appointed by each shall be appointed to serve for five years, one for four years, one for three years, one for two years, and one for one year. Vacancies on the commission shall be filled for the unexpired term in the same manner as the original appointment.

2A.3 Expenses. Members of the commission shall serve without compensation, but shall receive actual and necessary expenses, including travel at the state rate. Payment shall be made from funds available pursuant to section 2.12; however, members appointed by the governor shall be paid from funds appropriated to the office of the governor.

2A.4 Meetings—duties. The commission shall elect its own chairperson from among its membership and shall meet on the call of the chairperson to review compensation and expenses received by members of the general assembly and salaries of the other elective state officials. The commission shall review compensation and expenses paid to members of the general assembly and salaries paid to other elective state officials, and statutory judicial officers, and shall review compensation, expenses, and salaries paid for comparable positions in other states, the federal government, and private enterprise. Based on such review and other factors deemed relevant, the commission shall make its determination as to compensation and expense levels for members of the general assembly and as to salary levels for other elective state officials to be recommended to the governor and the members of the general assembly. No later than February 1, 1973, and each two years thereafter, the commission shall report to the governor and to the general assembly its recommendations for compensation and expenses for members of the general assembly and for salaries for other elective state officials.

2A.5 Consideration by general assembly. The general assembly shall consider the recommendations of the commission in determining compensation and expenses for members of the general assembly and salaries for other elective state officials.

STATUTES AND RELATED MATTERS

3.1 Form of bills. Bills designed to amend, revise, codify, or repeal a law:

1. Shall refer to the numbers of the sections or chapters of the Code to be amended or repealed, but it shall not be necessary to refer to such sections or chapters in the title.

2. Shall refer to the session of the general assembly and the sections and chapters of the Acts to be amended if the bill relates to a section or sections of an Act not appearing in the Code or codified in a supplement to the Code.

3. All references to statutes shall be expressed in numerals, and if omitted the Code editor in preparing Acts for publication in the session laws shall supply the numerals.

4. The title to a bill shall contain a brief statement of the purpose of the bill, however all detail matters properly connected with the subject so expressed may be omitted from the title.

3.2 Bill drafting instructions. The legislative council shall, in consultation with the director of the legislative service bureau and the Code editor, promulgate rules and instructions for the drafting of legislative bills and resolutions not otherwise in conflict with the provisions of law and the rules of the senate and the house.

3.4 Bills—approval—passage over veto. If the governor approves a bill, the governor shall sign and date it; if the governor returns it with objections and it afterwards passes as provided in the Constitution, a certificate, signed by the presiding officer of each house in the following form, shall be endorsed thereon or attached thereto: "This bill (or this item of an appropriation bill, as the case may be), having been returned by the governor, with objections, to the house in which it originated, and, after reconsideration, having again passed both houses by yeas and nays by a vote of two-thirds of the members of each house, has become a law this day of"

3.5 Failure of governor to return bill. When a bill has passed the general assembly, and is not returned by the governor within three days as provided in the Constitution, it shall be authenticated by the secretary of state endorsing thereon: "This bill, having remained with the governor three days (Sunday excepted), the general assembly being in session, has become a law this . . . day of, . . .

.....,
Secretary of State."

3.6 Acts—where deposited. The original Acts of the general assembly shall be deposited with and kept by the secretary of state.

3.7 Acts effective July 1 or August 15. All Acts and resolutions of a public nature passed at regular sessions of the general assembly shall take effect on the first day of July following their passage, unless some specified time is provided in the Act, or they have sooner taken effect by publication. All Acts and resolutions of a public nature which are passed prior to July 1 at a regular session of the general assembly and which are approved by the governor on or after such July 1, shall take effect on August 15 next after his approval. However, this section shall not apply to Acts provided for in section 3.12, Acts which specify when they take effect, or Acts which take effect by publication.

3.8 Publication of Acts. Acts which are to take effect from and after publication in newspapers shall be published in two or more papers.

3.9 Designation of papers. In case either or both of the papers named in the Act should fail or decline to publish said Act as required therein, the secretary of state may designate another paper or papers in which publication shall be made, and if such papers are not designated in the Act, the same may be designated by the secretary of state, and the Act published accordingly.

3.10 Acts effective—certification. All such Acts shall take effect from and after the date of the last publication, and the secretary of state shall make and sign, on the original roll of each of such Acts, a certificate, stating in what papers it was published, and the date of the last publication in each of them, which certificate and the printing thereof at the foot of the Act shall be presumptive evidence of the facts therein stated.

3.11 Private Acts—when effective. Acts of a private nature which do not prescribe the time when they take effect, shall do so on the thirtieth day next after

they have been approved by the governor, or endorsed as provided in this chapter.

3.12 Appropriation Acts — effective for fiscal year. All annual appropriations shall be for the fiscal year beginning with July 1 and ending with June 30 of the succeeding year and when such appropriations are made payable quarterly, the quarters shall end with September 30, December 31, March 31, and June 30; but nothing in this section shall be construed as increasing the amount of any annual appropriation.

3.13 Pro rata disbursement of appropriations. Annual appropriations shall be disbursed in accordance with the provisions of the Acts granting the same pro rata from the time such Acts shall take effect up to the first day of the succeeding quarter as provided in section 3.12.

3.14 Certain appropriations prohibited. No appropriations shall be made to any institution not wholly under the control of the state.

3.15 Copies of Acts effective by publication. The secretary of state shall, immediately after an Act of a general nature takes effect by publication, furnish a certified copy of such Act to each clerk of the district court, who shall retain the same on file for public inspection for at least six months, and shall furnish copies thereof on payment of a fee of ten cents for each one hundred words.

3.16 Cost of publishing. The compensation for the publication of laws which are ordered by the general assembly to take effect by publication, unless otherwise fixed, shall be audited and paid by the state, and shall be the rates of legal advertisements allowed by law. There is hereby provided from any money in the state treasury not otherwise appropriated, a sum sufficient to pay for such publication.

3.17 to 3.19 Reserved.

3.20 Directions to future general assemblies. The following principles shall be used by the general assembly in determining whether a procedure should be established and the type of procedure which should be established, for the state licensure of an occupation or profession:

1. The state shall engage in licensing procedures for those professions and occupations where it believes it can assure an objective and measurable level of competence concerning the public health, safety, and well-being which other sources cannot effectively provide.

2. The examining board shall pursue a meaningful examination and enforcement procedure which upholds the level of competency of the licensee to insure that the public interest is protected.

OFFICIAL REPORTS AND DOCUMENTS

17.15 Legislative journals. The record of the transactions of the senate and house shall be published in a daily journal, printed in number as authorized by the general assembly or directed by the superintendent of printing. The completed journals shall be published in book form, with index and record of bills, in an edition of such number as shall jointly be specified by the presiding officers of the two houses of the general assembly in library binding and such number as shall jointly be specified by the presiding officers of the two houses of the general assembly in paper covers. There shall also be printed for the general assembly or the members thereof such other material necessary for the transaction of legislative business.

17.16 Legislative proceedings. The reports of the legislative proceedings shall be delivered by the secretary of the senate and the chief clerk of the house to the superintendent of printing promptly upon completion, and the superintendent of printing shall cause such reports to be printed in accordance with the contracts covering the same. He shall require that proof copies of the daily journal be furnished the next legislative day after date and shall promptly deliver them to the sergeants at arms of each house. The corrections and changes made therein by the general assembly shall be made before the printing of the corrected or completed journal.

17.17 Corrected journals. The journal, as corrected by order of the general assembly, shall be printed promptly and be delivered by the superintendent to the sergeants at arms of each house. An index, record and history of bills, and list of bills passed, shall be prepared by the superintendent of printing for the completed edition of the journal.

17.18 Legislative bills. The bills introduced in the general assembly shall be printed on good paper. The style and format of such bills shall be specified by the rules but in the absence of such rules by the legislative council. The number of copies of each bill to be printed unless otherwise ordered shall be fixed by the superintendent according to the needs of the general assembly, and to supply subscribers therefor.

17.19 Legalizing Acts of local nature. A bill which seeks to legalize the acts of any official or board or other official body, in regard to any matter of public nature or for any person or persons, company or corporation, shall not be considered until it is printed as a bill and distributed to members of the general assembly, and the printing shall be without expense to the state. The superintendent of printing shall not order any such bill printed until the superintendent has received a deposit to cover the cost thereof at the rate which shall be fixed under the current contract for legislative printing for the bills, and shall exclude from the journals all such bills and the newspaper publication of such bill shall be without expense to the state, and same shall not be published until the cost of same has been paid to the secretary of state.

DISTRIBUTION OF PUBLICATIONS

18.86 Assembly members. The official reports, the miscellaneous documents and other publications upon request, and the completed journals of the general assembly and ten copies of the official register, shall be sent to each member of the general assembly, and, so far as they are available, additional copies upon their request.

18.87 Libraries. The completed journals of the general assembly, and the official register shall be sent to each free public library in Iowa, the state library, the library commission, libraries at state institutions, and college libraries.

18.88 Newspapers. The journals of the general assembly and the official register shall be sent to each newspaper of general circulation in Iowa, and editors of newspapers in Iowa shall be entitled to other publications on request when they are available.

18.89 Congressional library. Two copies of each publication shall be sent to the library of Congress.

18.90 County auditors. The completed journals of the general assembly, and the official register shall be sent to each county auditor, who shall be required to keep the same at all times available for the inspection of the public.

PRINTING OF JOURNALS, BILLS AND INDEX

18.101 Legislative journals and bills. The daily journals of the general assembly and the printed bills shall be sent by the superintendent of printing by mail to subscribers therefor. The journals and bills for both houses for any one session may be purchased for such sum as is fixed by the state printing board. The said superintendent shall cause to be printed a sufficient number of copies to fill orders received and reported to the superintendent.

18.102 Index to bills. The secretary of the senate and the chief clerk of the house shall throughout each legislative session compile and cause to be printed a cumulative bulletin of bills and joint resolutions which bulletin shall contain a brief history of each bill, and detailed information as to the status of legislation and shall be conveniently indexed. The bulletin shall be printed and delivered one day before the mid-term recess of each legislature and thereafter twenty-five days after the end of said recess except as may otherwise be provided by the joint rules of the general assembly. The last issue of each bulletin shall be brought down to the time of final adjournment and shall be promptly furnished to all members of the general assembly and to such others as the superintendent may determine.

18.103 Enrolling clerks to keep records. The enrolling clerks of the senate and house shall, under the directions of the secretary of the senate and house, respectively, keep a daily cumulative record of the information required in section 18.102 and in such manner that the same may be promptly furnished to the superintendent at the close of each week.

CONFLICTS OF INTEREST

68B.5 Gifts solicited or accepted. An official, employee, local official, local employee, member of the general assembly, candidate, or legislative employee shall not, directly or indirectly, solicit, accept, or receive any gift having a value of fifty dollars or more in any one occurrence. A person shall not, directly or indirectly, offer or make any such gift to an official, employee, local official, local employee, member of the general assembly, candidate or legislative employee which has a value in excess of fifty dollars in any one occurrence.

68B.6 Services against state prohibited. No official, employee, or legislative employee shall receive, directly or indirectly, or enter into any agreement, express or implied, for any compensation, in whatever form, for the appearance or rendition of services by that person or another against the interest of the state in relation to any case, proceeding, application, or other matter before any state agency, any court of the state of Iowa, any federal court, or any federal bureau, agency, commission or department.

LEGISLATIVE ETHICS COMMITTEE

68B.10 Legislative ethics committee. There shall be an ethics committee in the senate and an ethics committee in the house, each to consist of seven members; three members to be appointed by the majority leader in each house, two members by the minority leader in each house and two individuals who shall not be employees of the general assembly by the chief justice of the Iowa supreme court.

The two individuals appointed by the chief justice of the supreme court shall receive a per diem of forty dollars and travel expenses at the same rate as paid members of interim committees for attending meetings of the ethics committee.

Members of the general assembly shall receive a per diem of forty dollars and travel expenses at the same rate as paid members of interim committees for attending meetings held when the general assembly is not in session. The per diem and expenses shall be paid from funds appropriated by section 2.12.

Each committee shall elect a chairperson and shall have the following powers, duties and functions:

1. Prepare a code of ethics within thirty days after the commencement of the session.

2. Prepare rules relating to lobbyists and lobbying activities in the general assembly.

3. Issue advisory opinions interpreting constitutional and statutory provisions relating to legislators and lobbyists as well as interpreting the code of ethics and rules issued pursuant to this section. Opinions shall be issued when approved by a majority of the seven members and may be issued upon the request of a member of the general assembly or upon the committee's initiation.

4. Investigate complaints and charges against members of its house and if warranted, report the results of such investigation to its house with recommendations for further action.

5. Recommend legislation relating to legislative ethics and lobbying activities.

The code of ethics and rules relating to lobbyists and lobbying activities shall not become effective until approved by the members of the house to which the proposed code and rules apply. The code or rules may be amended either upon the recommendation of the ethics committee or by members of the general assembly.

Violation of the code of ethics may result in the suspension of a member from the general assembly and the forfeiture of the member's salary if directed by a two-thirds vote of the house to which the member belongs. Such suspension or forfeiture of salary shall be for such duration as specified in the directing resolution provided however, that it cannot extend beyond the date of adjournment of the session. Violation of the rules relating to lobbyists and lobbying activities may result in the suspension of any lobbyist if directed by a two-thirds vote of the house wherein the violation occurred.

68B.11 Reporting of gifts.

1. The house of representatives and the senate shall adopt rules relating to the reporting of gifts made to members of the general assembly, legislative employees and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

2. The governor shall issue an executive order relating to the reporting of gifts made to officials and employees of the executive department of the state and their immediate family members. The executive order shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

3. The supreme court of this state shall adopt rules relating to the reporting of gifts made to officials and employees of the judicial department of this state and their immediate family members. The rules shall require public disclosure of the nature,

amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

4. The governing body of a political subdivision of this state may adopt rules relating to the reporting of gifts made to its respective members or their immediate family members and employees of the political subdivision of this state or their immediate family members. Such rules as adopted shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals having a value which exceeds fifteen dollars in any one occurrence.

Where such rules are not adopted a local official or local employee shall make public disclosure by filing a report with the county auditor of the county of that person's residence setting out the nature, amount, date and donor of any gift made to the person or to the person's immediate family members which exceeds fifteen dollars in value in any one occurrence. The secretary of state shall develop a standard form for public disclosure of gifts in compliance with this subsection which shall be available at every county auditor's office without cost.

5. A person who does not make public disclosure of gifts as required by the rules adopted or executive order issued pursuant to this chapter or who does not make public disclosure as required by this chapter shall be guilty of a serious misdemeanor.

LEGALIZING ACTS

585.1 Publication prior to passage. No bill which seeks to legalize the official proceedings of any board of supervisors, board of school directors, or city council, or which seeks to legalize any warrant or bond issue by any of said official bodies, shall be placed on passage in either house or senate until such bill as introduced shall have been published in full in some newspaper published within the territorial limits of the public corporation whose proceedings, warrants, or bonds are proposed to be legalized, nor until proof of such publication shall have been filed with the chief clerk of the house, and with the secretary of the senate, and a brief minute of such filing entered on the respective journals.

585.2 Place of publication in certain cases. In case no newspaper is published within such territorial limits, the publication required by this chapter shall be made in one newspaper of general circulation published within the county.

585.3 Caption of publication. The publication required by this chapter shall be made under the following caption or heading, to wit:

"Proposed bill for the legalization of the proceedings of (name of official body)".

If the proposed bill be for the legalization of the bonds or warrants of the public corporation, the caption shall be modified accordingly.

585.4 Cost of publication. If the bill be introduced at the instance of the public body whose proceedings, bonds, or warrants are sought to be legalized, the cost of the aforesaid publication may be paid from the general fund of the public corporation.

585.5 Subsequent amendment — effect. The amendment of the proposed bill after its publication as aforesaid shall not affect its legality, provided the subject matter of the bill is not substantially changed.

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No. 1, 1980

The first part of the paper discusses the importance of the study of human evolution in the context of the broader field of anthropology. It highlights the need for a multidisciplinary approach, drawing on insights from genetics, archaeology, and linguistics to reconstruct the history of our species.

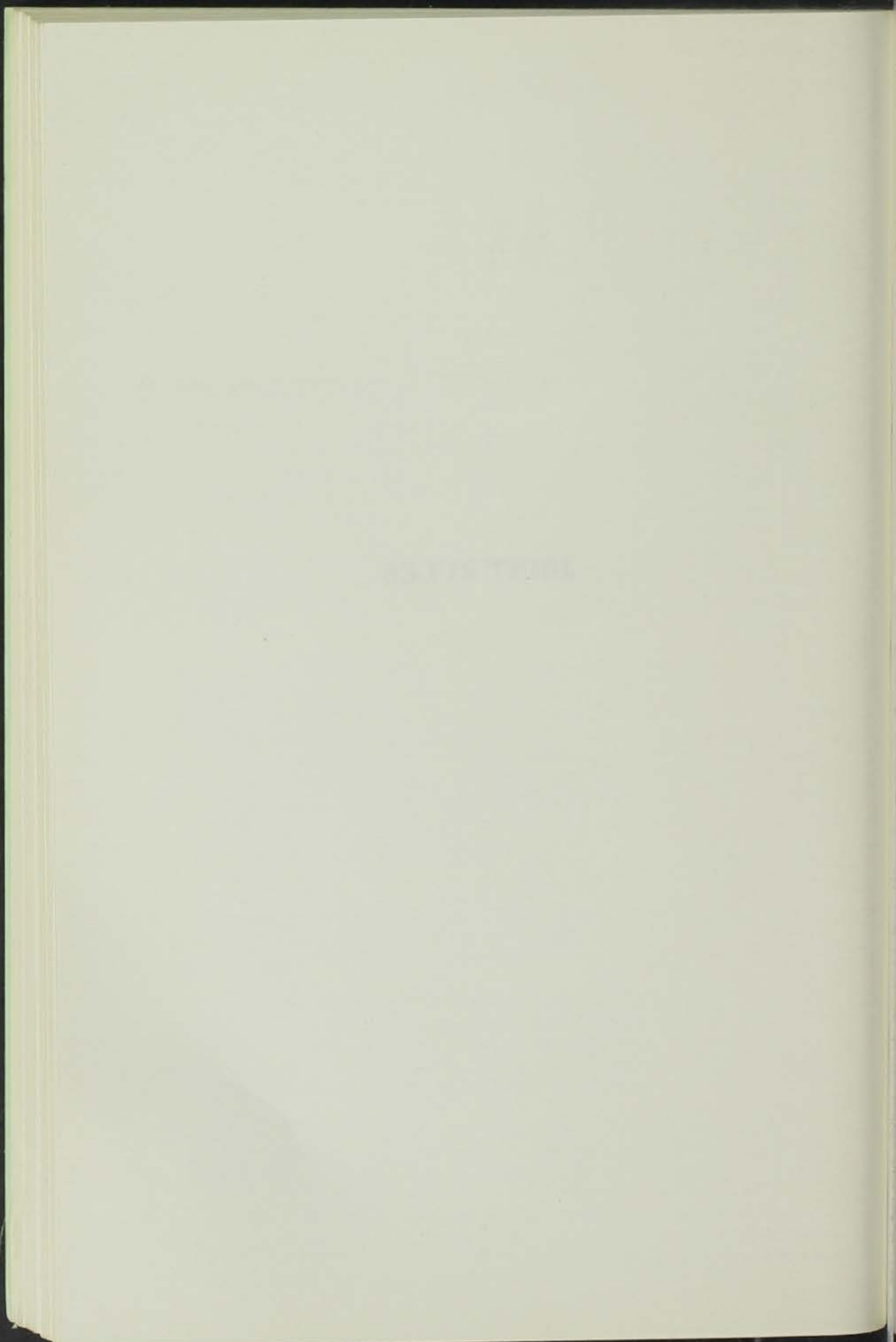
The second part of the paper focuses on the role of the fossil record in understanding human evolution. It examines the challenges of identifying hominid remains and discusses the significance of key fossil discoveries, such as those from the African hominid sites of Oldoway and Kenyanthropus.

The third part of the paper explores the genetic evidence for human evolution. It discusses the use of allozyme and DNA analysis to trace the genetic relationships between different human populations and to estimate the time of divergence from other primates.

The fourth part of the paper considers the linguistic evidence for human evolution. It discusses the development of language and its role in the evolution of the human brain and social structure.

The final part of the paper provides a synthesis of the evidence discussed in the previous sections and offers a perspective on the future of research in human evolution. It emphasizes the importance of continued collaboration between different disciplines and the need for a holistic approach to understanding our species.

JOINT RULES



JOINT RULES OF THE SENATE AND HOUSE**Rule 1****Suspension of Joint Rules**

The joint rules of the general assembly may be suspended by concurrent resolution, duly adopted by a constitutional majority of the senate and the house.

Rule 2**Designation of Sessions**

Each regular session of a general assembly shall be designated by the year in which such regular session commences.

Rule 3**Sessions of a General Assembly**

The election of officers, organization, hiring and compensation of employees, and standing committees in each house of the general assembly and action taken by each house shall carry over from the first to the second regular session and to any extraordinary session of the same general assembly. The status of each bill and resolution shall be the same at the beginning of each session as it was immediately before adjournment of the previous regular or extraordinary session; however the rules of either house may provide for re-referral of some or all bills and resolutions to standing committees upon adjournment of each session or at the beginning of a subsequent regular or extraordinary session, except those which have been adopted by both houses in different forms.

Upon final adoption of a concurrent resolution at any extraordinary session affecting that session, or at a regular session affecting any extraordinary session which may be held before the next regular session, the creation of any calendar by either house shall be suspended and the business of the session shall consist solely of those bills or subject matters stated in the resolution adopted. Bills named in the resolution, or bills containing the subject matter provided for in the resolution, may, at any time, be called up for debate in either house by the majority leader of that house.

Rule 4**Presentation of Messages**

All messages between the two houses shall be sent by the secretary of the senate or the chief clerk of the house of representatives, shall be announced and communicated to the chair.

Rule 5**Printing and Form of Bills and Other Documents**

Bills and joint resolutions shall be introduced, numbered, prepared, and printed as provided by law, or in the absence of such law, in a manner determined by the secretary of the senate and the chief clerk of the house of representatives.

All bills and joint resolutions introduced shall be in a form and number approved by the secretary of the senate and chief clerk of the house.

The legal counsel of each house shall approve all bills before introduction.

Rule 6 Companion Bills

Identical bills introduced in each house shall be called companion bills. Each house shall designate the sponsor in the usual way followed in parentheses by the sponsor of the companion bill in the other house. The house where the bill is first introduced shall print the complete text.

Rule 7 Reprinting of Bills

Whenever any bill has been substantially amended by either house, the secretary of the senate or the chief clerk shall order the bill reprinted on paper of a different color. All adopted amendments shall be distinguishable.

The secretary of the senate or the chief clerk may order the printing of a reasonable number of additional copies of any bill, resolution, amendment, or journal.

Rule 8 Daily Clip Sheet

The secretary of the senate and the chief clerk shall prepare a daily clip sheet covering all amendments filed.

Rule 9 Reintroduction of Bills and Other Measures

A bill or resolution which has passed one house and is rejected in the other shall not be introduced again during that general assembly.

Rule 10 Certification of Bills and Other Enrollments

When any bill or resolution which has passed one house is rejected or adopted in the other, notice of such action and the date thereof shall be given to the house of origin in writing signed by the secretary or the chief clerk.

Rule 11 Code Editor's Correction Bill

A bill recommended by the code editor which is introduced by a committee of the house or senate within the first four weeks of convening of a legislative session and which contains code corrections of a nonsubstantive nature shall not be amended on the floor of either house except pursuant to corrective or nonsubstantive amendments filed by the judiciary committee of the house or the senate.

Rule 12

Amendments by Other House

I. When a bill which originated in one house is amended in the other house, the house originating the bill may amend the amendment, concur in full in the amendment, or refuse to concur in full in the amendment. Precedence of motions shall be in that order.

A. If the house originating the bill concurs in the amendment, the bill shall then be read for the last time as amended, and placed upon its final passage.

B. If the house originating the bill refuses to concur in the amendment, the bill shall be returned to the amending house which shall either:

1. Recede, after which the bill shall be read for the last time and placed upon its final passage; or

2. Insist, which will send the bill to a conference committee.

C. If the house originating the bill amends the amendment, that house shall concur in the amendment as amended and the bill shall be read for the last time as amended, shall be placed on final passage, and shall be returned to the other house. The other house cannot further amend the bill.

1. If the amending house which gave second consideration to the bill concurs in the amendment to the amendment, the bill shall then be read for the last time as finally amended, and placed upon its final passage.

2. If the amending house refuses to concur in the amendment to the amendment, the bill shall be returned to the house originating the bill which shall either:

a. Recede, after which the bill shall be read for the last time as amended and placed upon its final passage; or

b. Insist, which will send the bill to a conference committee.

II. A motion to recede has precedence over a motion to insist. Failure to recede means to insist; and failure to insist means to recede.

III. A motion to lay on the table or to indefinitely postpone shall be out of order with respect to motions to recede from or insist upon and to amendments to bills which have passed both houses.

IV. A motion to concur, refuse to concur, recede, insist, or adopt a conference committee report is in order even though the subject matter has previously been acted upon.

Rule 13

Conference Committee

1. Within one legislative day after either house insists upon an amendment to a bill, the presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members to a conference committee. The presiding officer of the senate, after consultation with and approval by the majority leader, shall appoint three majority party members and, after consultation with and approval by the minority leader, shall appoint two minority party members to a conference committee. The papers shall remain with the house that originated the bill.

2. The conference committee shall meet before the end of the next legislative day after their appointment, shall select a chair and shall discuss the controversy.

3. The authority of the committee shall cover free conference during which the

the committee has authority to propose amendments to any portion of a bill provided the amendment is within the scope of the title of the bill as passed by the house of origin or amended by the second house.

4. An agreement on recommendations must be approved by at least three members from each house. The committee shall submit two originals of the report signed by at least three members of each house with one signed original and three copies to be submitted to each house. The report shall first be acted upon in the house originating the bill. Such action, including all papers, shall be immediately referred by the secretary of the senate or the chief clerk of the house of representatives to the other house.

5. The report of agreement is debatable, but cannot be amended. If the report contains recommended amendments to the bill, adoption of the report shall automatically adopt all amendments contained therein. After the report is adopted, there shall be no more debate, and the bill shall immediately be placed upon its final passage.

6. Refusal of either house to adopt the conference committee report has the same effect as if the committee had disagreed.

7. If the conference committee fails to reach agreement, a report of such failure signed by at least three members of each house shall be given promptly to each house. The bill shall be returned to the house that originated the bill and the members of the committee shall be immediately discharged and a new conference committee appointed by the presiding officer of each house. The presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members. The presiding officer of the senate, after consultation with and approval by the majority leader, shall appoint three majority party members and, after consultation with and approval by the minority leader, shall appoint two minority party members.

Rule 14

Enrollment and Authentication of Bills

A bill or resolution which has passed both houses shall be enrolled in the house of origin under the direction of either the secretary or the chief clerk and its house of origin shall be certified by the endorsement of the secretary or the chief clerk.

After enrollment, each bill shall be signed by the president and by the speaker.

Rule 15

Concerning other Enrollments

All resolutions and other matters which are to be presented to the governor for approval shall be enrolled, signed, and presented in the same manner as bills.

All resolutions and other matters which are not to be presented to the governor or the secretary of state shall be enrolled, signed and retained permanently by the secretary of the senate or chief clerk of the house.

Rule 16
Transmission of Bills to the Governor

After a bill has been signed in each house, it shall be presented to the governor by the secretary or the chief clerk of the house of origin. The secretary or the chief clerk shall report the date of the presentation, which shall be entered upon the journal of the house of origin.

Rule 17
Fiscal Notes

A fiscal note shall be attached to any bill or joint resolution which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures or fiscal liability of the state or its subdivisions. This rule does not apply to appropriation and ways and means measures where the total effect is stated in dollar amounts.

The preliminary determination of whether the bill appears to require a fiscal note shall be made by the legislative service bureau which shall send a copy of the request to the legislative fiscal bureau unless the requestor specifies the request is to be confidential. Upon completion of the bill draft, the legislative service bureau shall immediately send a copy to the legislative fiscal director for review. If the legislative fiscal bureau confirms that a fiscal note is required, the words "FISCAL NOTE REQUIRED" shall be prominently stamped on the bill jacket.

When a committee reports a bill to the floor, the committee shall state in the report whether a fiscal note is or is not required.

The fiscal note shall be printed on the bill before introduction if practicable; and the secretary of the senate or chief clerk of the house shall attach the fiscal note to the bill as soon as it is available.

The legislative fiscal director shall prepare the fiscal note within a reasonable time after receiving the request and necessary information. A copy of the fiscal note shall be filed by the legislative fiscal director, for distribution, with the secretary of the senate or the chief clerk of the house unless within one legislative day a request for a revised fiscal note is filed with the legislative fiscal director. The legislative fiscal director may request the cooperation of the state comptroller or any state department or agency. If a fiscal note is prepared by the comptroller or any state department or agency at the request of the fiscal director, that fact shall be stated in the note.

Each fiscal note shall state in dollars the estimated effect of the bill on the revenues, expenditures, and fiscal liability of the state during the first five years after enactment. The information shall specifically note the fiscal impact for the first two years following enactment and the anticipated impact for the succeeding three years. Sources of funds for expenditures under the bill shall be stated, including federal funds. If the fiscal director cannot make an accurate estimate, the director shall state the best available estimate or shall state that no dollar estimate can be made and state concisely the reason.

The fiscal note shall be attached or printed in the bill following the explanation or shall be printed in the daily clip sheet.

A revised fiscal note may be requested by a committee chair or a sponsor of the bill if the fiscal effect of the bill has been changed by adoption of an amendment.

However, a request for a revised fiscal note shall not delay action on a bill unless so ordered by the presiding officer of the house in which the bill is under consideration.

If a date for adjournment has been set, then a constitutional majority of the house in which the bill is under consideration may waive the fiscal note requirement during the three days prior to the date set for adjournment.

Rule 18 **Legislative Interns**

Legislators may arrange student internships during the legislative session with Iowa college, university, or law school students, for which the students may receive college credit at the discretion of their schools. Each legislator is allowed only one intern at a time per legislative session, and all interns must be registered with the offices of the secretary of the senate and the chief clerk of the house.

The purpose of the legislative intern program shall be: 1) to provide useful staff services to legislators not otherwise provided by the general assembly; 2) to give interested college, graduate, and law school students practical experience in the legislative process as well as providing a meaningful educational experience; and 3) to enrich the curriculum of participating colleges and universities.

The secretary of the senate and the chief clerk of the house or their designees shall have the following responsibilities as regards the legislative intern program:

1. Identify a supervising faculty member at each participating institution who shall be responsible for authorizing students to participate in the intern program.
2. Provide legislators with a list of participating institutions and the names of supervising professors to contact if interested in arranging for an intern.
3. Provide interns with name badges which will allow them access to the floor of either house when required to be present by the legislators for whom they work.
4. Provide orientation materials to interns prior to the convening of each session.

Rule 19 **Administrative Rules Review Committee Bills**

A bill which relates to departmental rules and which is approved by the administrative rules review committee by a majority of the committee's members of each house is eligible for introduction in either house at any time and must be referred to a standing committee, which must take action on the bill within three weeks of referral, except bills referred to appropriations and ways and means committees.

Rule 20 **Time of Committee Passage and Consideration of Bills**

1. This rule does not apply to concurrent or simple resolutions, joint resolutions nullifying administrative rules, senate confirmations, or bills passed by both houses in different forms. Subsection 2 of this rule does not apply to appropriations bills, ways and means bills, legalizing acts, administrative rules review committee bills, bills cosponsored by majority and minority floor leaders of one house, bills in conference committee, and companion bills sponsored by the majority floor leaders

of both houses after consultation with the respective minority floor leaders. For the purposes of this rule, a joint resolution is considered as a bill.

2. To be placed on the calendar in the house of origin, a bill must be first reported out of the committee of first referral by Friday of the 10th week of the first session and the 8th week of the second session. To be placed on the calendar in the other house, a bill must be first reported out of the committee of first referral by Friday of the 13th week of the first session and the 11th week of the second session.

3. During the 11th week of the first session and the 9th week of the second session, each house shall consider only bills originating in that house and unfinished business. During the 14th week of the first session and the 12th week of the second session, each house shall consider only bills originating in the other house and unfinished business. Beginning with the 15th week of the first session and the 13th week of the second session, each house shall consider only bills passed by both houses, bills exempt from subsection 2 and unfinished business.

4. A motion to reconsider filed and not disposed of on an action taken on a bill or resolution which is subject to a deadline under this rule may be called up at any time before or after the day of the deadline by the person filing the motion or after the deadline by the majority floor leader, notwithstanding any other rule to the contrary.

Rule 21 Resolutions

1. A "concurrent resolution" is a resolution to be adopted by both houses of the general assembly which expresses the sentiment of the general assembly or deals with temporary legislative matters. It may authorize the expenditure, for any legislative purpose, of funds appropriated to the general assembly. A concurrent resolution is not limited to, but may provide for a joint convention of the general assembly, adjournment or recess of the general assembly, or requests to a state agency or to the general assembly or a committee. A concurrent resolution requires the affirmative vote of a majority of the senators or representatives present and voting unless otherwise specified by statute. A concurrent resolution does not require the governor's approval unless otherwise specified by statute. A concurrent resolution shall be filed with the secretary of the senate or the chief clerk of the house. A concurrent resolution shall be printed in the bound journal after its adoption.

2. A "joint resolution" is a resolution which requires for approval the affirmative vote of a constitutional majority of each house of the general assembly. A joint resolution which appropriates funds or enacts temporary laws must contain the clause "Be It Enacted by the General Assembly of the State of Iowa:" is equivalent to a bill, and must be transmitted to the governor for his approval. A joint resolution which proposes amendments to the Constitution of the State of Iowa, ratifies amendments to the Constitution of the United States, proposes a request to Congress or an agency of the government of the United States of America, proposes to Congress an amendment to the Constitution of the United States of America, nullifies an administrative rule, or creates a special commission or committee must contain the clause "Be It Resolved by the General Assembly of the State of Iowa:" and shall not be transmitted to the governor. A joint resolution shall not amend a statute in the Code of Iowa.

Rule 22
Nullification Resolutions

A "nullification resolution" is a joint resolution which nullifies all or part of an administrative rule adopted pursuant to chapter 17A of the Code. A nullification resolution shall not amend an administrative rule by adding language or by inserting new language in lieu of existing language.

Rule 23
Reconsideration of Vetoes

1. The senate and house calendar shall include a list known as the "Veto Calendar." The veto calendar shall consist of:

a. Bills returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

b. Appropriations items returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

c. Bills and appropriations items received from the other house after that house has voted to override a veto of them by the governor.

2. Vetoed bills and appropriations items shall automatically be placed on the veto calendar upon receipt. Vetoed bills and appropriations items shall not be referred to committee.

3. Upon first publication in the veto calendar, the senate majority leader or the house majority leader may call up a vetoed bill or appropriations item at any time.

4. The affirmative vote of two-thirds of the members of the body by record roll call on a motion to reconsider a vetoed bill or appropriations item constitutes a vote to override the executive veto or item veto.

5. A motion to reconsider a vetoed bill or appropriations item is debatable. A vetoed bill or appropriation item cannot be amended in this case.

6. The vote by which a motion to reconsider a vetoed bill or appropriations item passes or fails to pass either house is not subject to reconsideration under senate rule 24 or house rule 74.

7. The secretary of the senate or the chief clerk of the house shall immediately notify the other house of the adoption or rejection of a motion to reconsider a vetoed bill or appropriations item.

8. All bills and appropriations items on the veto calendar shall be disposed of before adjournment sine die, unless the house having a bill or appropriation item before it declines to do so by unanimous consent.

9. Bills and appropriations items on the veto calendar are exempt from deadlines imposed by joint rule 20.

SENATE RULES

SENATE CODE OF ETHICS

SENATE LOBBYING RULES

THE
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AMERICAN MEDICAL ASSOCIATION
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RULES OF THE SENATE**Rule 1
Quorum**

A constitutional majority shall constitute a quorum of the senate. Any senator may insist a quorum be present.

**Rule 2
Adoption and Amendment of Rules**

Whenever the senate is operating under temporary rules, the rules may be amended or repealed, or permanent rules may be adopted, by a constitutional majority of the senators. After adoption of permanent rules of the senate during any general assembly, the rules may be amended or repealed by a constitutional majority of the senators.

**Rule 3
Rules of Parliamentary Procedure**

In cases not covered by senate rules or joint rules, Mason's Manual of Legislative Procedure shall govern.

**Rule 4
Sessions of the General Assembly**

The election of officers, organization, hiring and compensation of employees, and committees of the senate shall carry over from the first to the second regular sessions and to any extraordinary sessions of the same general assembly.

All bills and resolutions introduced in the first regular session of a general assembly which are not withdrawn, lost, or indefinitely postponed shall carry over into the second regular session and to any extraordinary session of the same general assembly. Appointments received from the governor for senate confirmation during any session of a general assembly shall be acted upon prior to adjournment of that session as provided by section 2.32 of the Code. Except as provided by this rule, upon the adjournment of the first regular session and any extraordinary session, each bill or resolution shall be automatically referred back to the committee to which it was originally assigned. The secretary of the senate shall publish in the Journal a list of the bills returned to committee under this rule. Within seven days after the first committee meeting after the convening of the second regular session, committees shall either authorize the chair to refer such bills and resolutions to a subcommittee for consideration or report them out to the floor and place them on the calendar. The committee chair shall report to the senate the bill or resolution number and the names of the subcommittee members.

Bills and resolutions which have been voted upon on final passage in any session shall remain on the calendar in the same status as at the end of the session at any subsequent regular or extraordinary session.

Rule 5
Regular Order of Daily Business

The following order shall govern, subject to any special order:

1. Correction of the journal.
2. Senators to be excused.
3. Communications to the Senate.
4. Introduction of bills and resolutions.
5. Points of personal privilege.
6. Consideration of senate calendar.

Rule 6
Senate Calendar

1. Each legislative day the secretary of the senate shall prepare a listing of bills to be known as the "Senate Calendar".

2. The senate calendar may contain a listing under the category "Special Order" which shall be placed at the head of the calendar. Bills in such category shall be those which are specifically set for debate by the majority leader with the consent of the senate on a certain date and time. Bills shall be listed by the secretary in the order they are set for debate.

3. The senate calendar shall include separate listings for any bills and resolutions in the following categories:

- a. Conference Committee Report
- b. Bills in Conference Committee
- c. House Amendment to Senate Amendment to House File
- d. House Refuses to Concur in Senate Amendment to House File
- e. Senate Files Amended by the House
- f. Unfinished Business Before the Senate
- g. Motions to Reconsider
- h. Administrative Rules Nullification Resolutions
- i. Veto Messages from the Governor

4. The secretary shall list bills and resolutions in the above categories in the order they are received. Upon their first publication in the calendar, bills and resolutions in the above categories may be called up for debate at any time by the majority leader. Motions to reconsider shall be called up as provided by Rule 24.

5. The senate calendar shall include a listing of senate appropriations committee bills and bills reported out by the senate appropriations committee. The list shall be known as the "Appropriations Calendar". The secretary shall list the bills in the order they are received. Upon their first publication in the calendar, bills on the appropriations calendar may be called up for debate at any time by the majority leader provided they are eligible under Rule 8.

6. The senate calendar shall include a listing of bills which pertain to the levy, assessment or collection of taxes sponsored by or initially assigned to and reported out by the senate ways and means committee. The list shall be known as the "Ways and Means Calendar". The secretary shall list the bills in the order they are received. Upon their first publication in the calendar, bills on the ways and means calendar may be called up for debate at any time by the majority leader provided they are eligible under Rule 8.

7. The senate calendar shall include a list of bills and resolutions, known as the "Regular Calendar" which shall consist of bills and resolutions reported out by a senate committee. The bills and resolutions reported out each day shall be placed in the order of their file numbers and following those reported out on previous days. Priority shall be given to senate over house bills and resolutions and to joint resolutions over bills. Bills and resolutions on the regular calendar shall be considered in the order they are listed, provided they are eligible under Rule 8.

8. The majority leader, or in the absence of the majority leader the assistant majority leaders, may select from among the first twenty bills on the previous legislative day's regular calendar and from the bills selected create a new listing which shall be known as the "Debate Calendar". The debate calendar shall list bills as the majority leader expects to take them up during the following week. A bill or resolution on the debate calendar may be debated only when eligible under Rule 8.

9. The majority leader, or in the absence of the majority leader the assistant majority leaders, may initiate action to create a list of bills which may be debated at any time upon being called up for debate by the majority leader. Such list shall be known as the "Proposed Noncontroversial Calendar". Any bill which appeared on the previous day's regular calendar may be placed by any senator on the "Proposed Noncontroversial Calendar" which shall be published. Any bill on the proposed noncontroversial calendar shall be stricken from the list if any senator files a written objection with the secretary of the senate on the first or second legislative day after it appears on the proposed noncontroversial calendar. Any bill stricken from the proposed noncontroversial calendar shall be returned to its former place on the regular calendar. The secretary shall prepare the noncontroversial calendar which shall consist of all bills on the proposed noncontroversial calendar to which no objection was received.

10. If the senate shall not be in session on a day assigned in paragraphs eight and nine for action upon a calendar, such assigned action shall occur on the next succeeding legislative day.

11. On any bill called up for debate from any calendar, debate may continue from day to day until it is adopted, fails, or is postponed or deferred. If further debate is postponed or deferred without a time to continue being set, except for bills on the debate calendar, the bill shall be listed as unfinished business. Bills on the debate calendar upon which further debate is postponed or deferred without a time to continue being set shall return to the regular calendar.

Rule 7 Steering Committee

The senate may authorize the appointment of a steering committee. The majority leader shall appoint the majority party members to the steering committee. The minority leader shall appoint the minority party members to the steering committee. The function of the steering committee shall be to create its own calendar from the bills and resolutions on the regular calendar. Bills and resolutions on the steering committee calendar shall have priority over bills and resolutions on all other calendars, except the appropriations calendar.

Rule 8
When Eligible for Consideration

Bills, resolutions, and appointments shall be eligible for consideration by the senate as follows:

1. An appointment by the governor which requires senate confirmation shall be eligible on the legislative day after it is first printed in the senate calendar as provided by Rule 60.

2. A house or individually sponsored bill or resolution reported out by a committee shall be eligible on the legislative day after it is first printed in the senate calendar.

3. A committee bill or resolution sponsored by the appropriations committee shall be eligible on the legislative day after it is first printed in the senate calendar.

4. Any committee bill or resolution, other than a bill or resolution sponsored by the appropriations committee, shall be eligible on the third legislative day after it is first printed in the senate calendar.

5. A bill that has been reported out to the senate calendar, referred to a different committee and reported out by that committee is eligible for consideration by the senate on the day it would have been eligible under subsection 2, 3, or 4, whichever is applicable, as if the bill had been printed in the calendar after having been reported out by the first committee.

6. Any bill or resolution placed on the steering committee calendar is eligible for consideration on the day of its placement on that calendar.

When a bill or resolution on the calendar is not yet eligible, the date when it will become eligible shall be printed in the calendar.

Rule 9
Debate and Decorum

Before addressing the senate, the senator shall request recognition by depressing the "speak" device and, when recognized, rise and respectfully address the chair.

The senator shall confine all remarks to the question under debate and shall avoid discussing personalities or implication of improper motives. No questions except by the senator recognized shall be entertained after a senator is recognized to give final remarks.

Rule 10
Point of Personal Privilege

A point of personal privilege shall only be recognized when there is no motion pending or other business being considered by the senate. Senators speaking on a point of personal privilege shall be limited to ten minutes.

Rule 11
Introduction and Presentation of Guests

Only former members of the senate and former and present members of Congress shall be presented to the senate, except that the president of the senate may present a visitor whose presence is of special significance to the senate. No

presentation shall be made during debate or discussion of legislation. The presence of school groups accompanied by school officials shall be announced by the president of the senate and shall be recorded in the journal upon written request of a member of the senate.

Rule 12

Form and Withdrawal of Motions, Amendments and Signatures

Motions need not be in writing unless required by the president or by the senate. No motion requires a second. Any amendment, motion (including a motion to reconsider), or resolution may be withdrawn by the mover if it has not been amended by the senate and if no amendment is pending. All amendments to bills, resolutions, and reports shall be in writing and filed before being acted upon by the senate.

No amendment, resolution, bill, or conference committee report shall be considered by the senate without a copy of the amendment, resolution, bill, or conference committee report being on the desks of the entire membership of the senate prior to consideration.

All amendments, reports, petitions or other documents requiring a signature shall have the name typed under the place for the signature. Once a signature is affixed and the document containing the signature filed with the recording clerk in the well, that signature shall not be removed.

When an amendment to a main amendment is filed that would negate the effect of the main amendment and thereby leave the bill unchanged, the presiding officer shall have the authority to declare the amendment to the main amendment out of order, subject to an appeal to the full senate.

Rule 13

Order and Precedence of Motions and Amendments

When a question is under debate, no motion shall be received but to adjourn, to recess, questions of privilege, to lay on the table, for the previous question, to postpone to a day certain, to refer, to amend, to postpone indefinitely, to defer, or incidental motions. A substitute is not in order unless it is in the form of a motion to substitute. Such motions shall have precedence in the order in which they are named. No motion to postpone to a day certain, to refer, or postpone indefinitely, being decided, shall be again allowed on the same day with regard to the same question. A motion to strike out the enacting clause of a bill shall have precedence over all amendments and, if carried, shall be considered equivalent to the rejection of the bill.

A motion to strike everything after the enacting clause has precedence over a committee amendment and all other amendments except one to strike the enacting clause. A committee amendment has precedence over all other amendments except as provided in this rule.

A motion to rerefer a bill to committee may specify when the committee shall report the bill to the senate. If the motion is adopted in such form, the committee must report the bill by the date specified with or without recommendation or the bill shall automatically be returned to the calendar. When the bill is returned to the calendar, it shall occupy the same position it occupied at the time the bill was rereferred to the committee. If the committee to which the bill is rereferred

submits an amendment in its report, that committee amendment shall take precedence over other amendments except if that committee amendment is in conflict with amendments previously adopted, the committee amendment shall not be considered until consideration of motions to reconsider the previously adopted amendments result in removing the conflict.

Rule 14 **Designation of Motions**

Motions before the senate shall be identified by the following numerical designations, which shall be displayed on the electronic voting system display boards following the word "motion":

1. Quorum call (and call of the senate roll call).
2. Motion to recess or adjourn.
3. Motion to refer.
4. Motion to defer or postpone.
5. Motion to reconsider and lay the motion to reconsider on the table (Double-barreled motion).
6. Motion to table or take from the table.
7. Motion to suspend the rules.
8. Motion to adopt a report (including a conference committee report).
9. Motion to confirm an appointment of the governor.
10. Motion to concur in house amendment (Refuse to concur).
11. Motion to recede (Insist).
12. Motion for the previous question.
13. Motion to sustain a decision of the chair.
14. Motion to strike the enacting clause.
15. All other motions.

Rule 15 **Motions Debatable and not Debatable**

The following motions are not debatable:

Adjourn

Recess

Call of the Senate

Lay on Table or Take from Table

Previous Question

Reconsider vote by which bill was placed on last reading.

A Motion to Reconsider and Lay the Motion to Reconsider on the Table (Double-barreled Motion).

A motion to suspend the rules is debatable.

Rule 16 **Division of the Question**

Any senator may call for a division of a question, which shall be divided if it includes propositions so distinct that if one is taken away, a substantive proposition shall remain in a technically proper form for the decision of the senate. A motion to strike out and insert is indivisible; but a motion to strike out, if lost, shall

not preclude amendments to the matter attempted to be stricken or a motion to strike out and insert.

Rule 17 **The Previous Question**

The previous question shall be in this form: "Shall debate be closed on the pending question?" A motion for the previous question may be adopted by a majority of the senators present and voting. Its effect shall be to put an end to debate and bring the senate to a direct vote upon the pending question. However, any senator who has not previously spoken on the pending question and who, after the main question is taken up and before the motion for the previous question has been made, requested recognition by depressing the "speak" device may speak no longer than five minutes on the pending question. If action on the pending question continues into another legislative day or is deferred, the previous question shall apply and the requests to be recognized shall be honored.

When the motion applies to an amendment, the senator proposing the amendment shall have five minutes to close debate on the amendment.

The senator handling the measure under consideration shall have ten minutes to close debate on the main question.

Rule 18 **Call of the Senate**

Ten senators may file in writing a call of the senate on any single item of legislative business. A call of the senate requires the presence of every senator and is in order at any time prior to the vote being announced by the president. The sergeant-at-arms shall return promptly all absent senators. Debate on the item may continue while absent senators are returning, but no vote on the item is in order on it until all have returned. Adoption of a motion to recess or adjourn to a specific time will not lift the call. The call may be lifted, or a senator may be excused from the call without lifting the call, by a vote of a constitutional majority of the senators. Those senators excused prior to the filing of the call are excused from the call.

Rule 19 **Committee of the Whole**

The senate may resolve itself into a committee of the whole senate when it wishes to permit more free and informal discussion. Persons other than senators may appear and present information.

Any senator may move "that the senate now resolve itself into a committee of the whole to consider" a stated subject. The motion to resolve into a committee of the whole is equivalent to a motion to refer.

The president of the senate shall be chair of the committee of the whole unless otherwise ordered by the senate.

The procedure in committee of the whole is subject to the rules of the senate. The previous question and the motion to reconsider shall be in order.

The committee of the whole cannot take any final action and its power is limited to recommendation to the senate. The proceedings of the committee of

the whole, including any roll call vote, shall be printed in the journal.

Any senator may at any time, except while voting or while a senator has the floor, move that "the committee rise and report" which is equivalent to a motion to adjourn.

After adoption of the motion to rise, the chair shall report to the senate in the same manner as other committee reports are given.

Rule 20 **Last Reading and Passage of Bills**

When a motion to place a bill on its last reading is lost, the same motion shall be in order at any later time. After the last reading of a bill, no amendment shall be received. The vote on final passage shall be taken immediately without debate.

Rule 21 **Engrossment of Bills**

An engrossment is a proofreading and verification in order to be certain that a bill before the senate is identical with the original bill as introduced with all amendments which have been adopted correctly inserted. A bill shall be considered engrossed when ordered to its last reading.

In an engrossed bill, all obvious typographical, spelling or other clerical errors are corrected and section or paragraph numbers and internal references are changed as required to conform the original bill to any amendments which have been adopted. All such corrections or changes shall be reported in the journal by the secretary of the senate. The engrossed bill shall be placed in the bill file with the original bill and amendments.

Rule 22 **Manner of Voting**

On voice vote, the question shall be distinctly put in this form: "Those in favor of (the question) say 'aye'." "Those opposed to (the question) say 'no'."

A non-record or record roll call vote may be requested by any senator or ordered by the president any time before the results are announced. A non-record roll call shall be requested by asking for a "division". A record roll call shall be requested by asking for a "roll call". Upon request for a non-record or record roll call vote, the president shall announce that such a non-record or record roll call vote has been requested and shall state the question to be put to the senate. The president then shall direct the parliamentarian to receive the votes.

Senators present may cast their votes, either by operating the voting mechanism located at their assigned desk or by signaling the president if they are unable to vote at their assigned desk. The president shall enter the votes of senators signaling their votes.

After sufficient time has elapsed for all senators present to record their votes, the president shall direct the parliamentarian to close the voting system. The president shall still enter the senators' votes at any time prior to directing the parliamentarian to lock the voting system. The president shall then immediately announce the vote.

During a non-record or record roll call vote, both individual votes and vote totals shall be indicated openly on the display boards. On non-record roll calls, only vote totals shall be printed in the journal.

In the event the electronic voting system is not in operating order, the president shall direct the parliamentarian to take the non-record or record roll call by calling the names of the senators in alphabetical order.

Rule 23

Duty of Voting

Every senator present when a question is put shall vote "aye" "no" or "present" unless previously excused by the senate. Upon demand being made by any senator, the parliamentarian shall call in alphabetical order the names of the senators not voting or voting "present". Those senators called shall vote "aye" or "no" unless the senator states a personal interest in the question or concludes that he or she should not vote under the senate code of ethics.

Rule 24

Reconsideration

When a main motion or main question has been decided by the senate, any senator having voted on the prevailing side may move to reconsider the vote on the same or next legislative day. Motions to reconsider a vote by which a bill or joint resolution was adopted on final passage shall be in writing and filed with the parliamentarian. A motion to reconsider an amendment to a main motion or main question shall be in writing and filed with the parliamentarian. A motion to reconsider an amendment to a main motion or main question shall be taken up for consideration only prior to the disposition of the main question or upon reconsideration of the main question. A constitutional majority by a record roll call is necessary to reconsider a bill or joint resolution. During three legislative days from the date the motion to reconsider a bill or resolution is filed, only the mover may call it up. Thereafter, any senator may call up the motion. If a date for adjournment has been set by resolution of the senate, any senator may call up a motion to reconsider at any time within three days prior to the date set for adjournment.

If the motion to reconsider a bill or resolution prevails, motions to reconsider amendments thereto shall be in order and shall be disposed of without delay.

A motion that any action taken by the senate be reconsidered and the motion to reconsider be laid upon the table shall be a single and indivisible motion, known as the double-barreled motion, which, if carried, shall have the effect of preventing reconsideration unless a motion to take from the table prevails. A constitutional majority is necessary for the double-barreled motion to prevail on a bill or joint resolution. The double-barreled motion can only be made from the floor after the vote is announced and the member who moved the final reading shall have priority in making it.

A motion to reconsider and lay on the table shall have priority over a motion to reconsider if they are both filed on the same legislative day.

In the event that a motion to reconsider is pending at the end of the first session or any extraordinary session of any general assembly, or the general

assembly adjourns sine die, and the motion has not been voted upon by the senate, it shall be determined to have failed.

Rule 25

Suspension of Rules and Taking from Table

No standing rule or rules incorporated by reference under Rule 3 or order of the senate shall be rescinded or suspended, nor shall any matter, tabled upon motion, be taken up, except by an affirmative vote of a constitutional majority of the senate.

INTRODUCTION AND FORM OF BILLS

Rule 26

Time and Method of Introducing Bills and Amendments

All bills to be introduced in the senate shall be typed in proper form by the legislative service bureau and shall be filed with the recording clerk not later than 3:00 p.m.

All amendments shall be typed in proper form and filed with the recording clerk not later than 4:30 p.m., or adjournment, whichever is later, in order to be listed in the following day's clip sheet.

An "impact amendment" is an amendment which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures or fiscal liability of the state or its subdivisions.

An impact amendment to a bill which has been on the special order calendar for at least three full legislative days prior to its consideration shall not be taken up by the senate unless:

- 1) a fiscal note is attached, and the amendment is filed at least one legislative day prior to the date set for consideration of the bill; or
- 2) the amendment is an appropriation or other measure where the total effect is stated in dollar amounts.

Rule 27

Limit on Introduction of Bills

No bill or joint resolution, except bills and joint resolutions cosponsored by the majority and minority floor leaders, shall be introduced in the senate after 4:00 p.m. on Friday of the seventh week of the first regular session of a general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time. After adjournment of the first regular session, bills may be prefiled at any time before the convening of the second regular session. No bill shall be introduced after 4:00 p.m. on Friday of the second week of the second regular session of a general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time. However, standing committees may introduce bills and joint resolutions at any time. A bill which relates to departmental rules sponsored by the administrative rules review committee and approved by a majority of the members of the

committee in each house may be introduced at any time and must be referred to a standing committee which must take action on the bill within three weeks. Senate and concurrent resolutions may be introduced at any time.

No bill, joint resolution, concurrent resolution or senate resolution shall be introduced at any extraordinary session unless sponsored by a standing committee or the committee of the whole.

Rule 28

Introduction, Reading and Form of Bills and Resolutions

Every senate bill and resolution shall be introduced by one or more senators or by any standing committee of the senate and shall at once be given its first reading.

If the senate is in session when a bill or resolution is introduced, the first reading shall consist of reading its file number, the title and sponsor of the bill. If the senate is not in session but a journal is published for the day, the first reading shall consist of a journal entry of the bill's file number, title, sponsor and the notation "Read first time under Rule 28."

Any bill or resolution approved for introduction by a standing committee during an interim period between sessions of one General Assembly shall be introduced without further action by the committee at the next succeeding regular session of the same General Assembly and placed immediately upon the regular calendar.

Every bill and resolution referred to committee shall have received two readings before its passage.

The subject of every bill shall be expressed in its title.

Rule 29

Explanations

No bill, except appropriation committee bills and simple or concurrent resolutions, shall be introduced unless a concise and accurate explanation is attached. The chief sponsor or a committee to which the bill has been referred may add a revised explanation at any time before the last reading, and it shall be included in the daily clip sheet.

Rule 30

Resolutions

A "senate resolution" is a resolution acted upon only by the senate which expresses sentiment or is used for the appointment of special committees within the senate. A senate resolution requires the affirmative vote of a majority of the senators present and voting. A senate resolution shall be filed with the secretary of the senate. A senate resolution shall be printed in the bound journal after its adoption and in the daily journal upon written request to the secretary of the senate by the sponsor of the resolution.

Rule 31

Nullification Resolutions

A nullification resolution may be introduced by a standing committee or the administrative rules review committee. A nullification resolution introduced by

the administrative rules review committee shall be referred to the same standing committee it would be referred to if it was a bill. A nullification resolution may be presented by a member of a standing committee.

A nullification resolution by a standing committee may be referred to the administrative rules review committee by a majority vote of the standing committee. The administrative rules review committee may seek an agreement with the affected administrative agency wherein the agency agrees to voluntarily rescind or modify a rule or rules relating to the subject matter of the nullification resolution. An agreement to voluntarily rescind or modify an administrative agency rule shall be in writing and signed by the chief administrative officer of the administrative agency and a majority of the administrative rules review committee members of each house and shall be placed on file in the offices of the chief clerk of the house, the secretary of the senate and the secretary of state. If an agreement is not reached, or the nullification resolution is not approved by a majority of the administrative rules review committee members of each house, within two weeks of the date the resolution is referred to the committee, the resolution shall be placed on the calendar. If the nullification resolution is approved by the administrative rules review committee it shall be placed on the calendar. A nullification resolution is subject to a motion to withdraw the nullification resolution from the committee as provided in the rules of that house.

A nullification resolution is debatable, but cannot be amended on the floor of the house or senate.

Rule 32

Resolutions, Applicable Rules

All rules applicable to bills shall apply to resolutions, except as otherwise provided in the rules.

Rule 33

Study Bills

1. A study bill is any matter which a senator wishes to have considered by a standing committee or appropriations subcommittee for introduction as a committee bill or resolution. The term "study bill" includes "proposed bills" provided for in Rule 37 and departmental requests prefiled in the manner specified in section 2.16 of the Code.

2. Upon first receiving a study bill from a senator, a committee chairperson shall submit three copies to the secretary of the senate. The secretary shall number such bills in consecutive order. The secretary shall maintain a record of all study bills and their assigned number. Committee records shall refer to study bills by the number assigned by the secretary.

3. The secretary shall file a report in the journal of each study bill received. The report shall show the study bill number, its title or subject matter and the committee which is considering it. If a study bill is referred to a subcommittee, then the committee chairperson shall report in the journal the names of the subcommittee members to which it is assigned.

4. If a committee bill or resolution is introduced which was not previously the subject of a study bill in the sponsoring committee, the majority leadership may re-refer the bill back to the committee.

COMMITTEES AND COMMITMENT

Rule 34

Committee Appointments

Committee appointments shall be made by the president, after consultation with and approval by the majority leader for majority party members and minority leader for minority party members. No senator shall serve on more than five committees. The president, after consultation with and approval by the majority leader, shall designate the chairperson and vice-chairperson of each standing committee. The president, after consultation with and approval by the minority leader shall designate the ranking member of each standing committee from the minority membership of that committee.

The vice-chairperson appointed by this rule is the "ranking member" for the purposes of section 2.14, subsection 1, of the Code.

Rule 35

Standing Committees

The names of the standing committees of the senate shall be:

- Agriculture
- Appropriations
- Commerce
- Education
- Energy and environment
- Labor and industrial relations
- Local government
- Human resources
- Judiciary
- Natural resources
- Rules and administration
- Small business and economic development
- State government
- Transportation
- Ways and means

Rule 36

Committee on Rules and Administration

The committee on rules and administration shall recommend rules and rule changes to the senate, shall hire senate employees, shall recommend salary scales for all senate employees, and shall oversee senate budget and administration matters.

The committee on rules and administration will select, for senate approval, an individual to serve as secretary of the senate and an individual to serve as senate parliamentarian.

Upon authorization being given by the committee on rules and administration, the minority party members of the committee will select, for senate approval, an individual to serve as assistant parliamentarian.

Rule 37 **Appropriations Committee**

The appropriations committee shall consist of eighteen members, eleven of whom shall be members of the majority party and seven of whom shall be members of the minority party. The appropriations committee shall receive bills committed to it and shall assign each to one of the appropriations subcommittees.

There shall be nine appropriations subcommittees which shall be named:

- Claims
- Justice System
- Education
- Health and Human Rights
- Human Services
- Natural Resources
- Regulatory and Licensing
- State Government
- Business, Trade, and Transportation

The appropriations subcommittees shall receive bills assigned to them or may originate proposed bills within the subcommittee's jurisdiction as defined by the appropriations committee for consideration by the appropriations committee. Each subcommittee may submit amendments to bills together with the subcommittee's recommended action to the appropriations committee.

If a bill or proposed bill is first submitted by an appropriations subcommittee to the appropriations committee prior to March 15th of each year, the appropriations committee may either report the bill out or approve the proposed bill for introduction by the appropriations committee or re-refer it together with the appropriations committee's objections to the appropriations subcommittee from which it was originally referred or which originated the proposed bill.

If a bill or proposed bill is submitted to the appropriations committee a second time by an appropriations subcommittee, or if a bill or proposed bill is submitted on or after March 15th of each year, the appropriations committee may:

1. report the bill or approve the proposed bill for introduction by the appropriations committee;
2. report the bill with appropriations committee amendments;
3. draft a new bill for sponsorship by the appropriations committee and report it; or
4. re-refer it together with the appropriations committee's objections to the appropriations subcommittee from which it was originally referred or which originated the draft bill.

The appropriations committee is authorized to meet anytime upon call of the chairperson to:

1. Act upon bills or proposed bills submitted to it by appropriations subcommittees as provided by this rule.
2. Prepare, review or revise a proposed legislative budget.
3. After March 15, initiate any bill relating to budget or appropriation matters.

The appropriations committee may meet jointly with the appropriations committee of the house of representatives.

Rule 38

First Reading and Commitment

Upon the first reading of an individual bill or resolution, or a house committee bill or resolution, the president shall refer the bill or resolution to an appropriate standing committee unless otherwise ordered by the senate. If the bill or resolution is a senate committee bill or resolution, the president shall place it on the calendar after its first reading. If the subject of the bill or resolution is not germane to the title of the committee presenting it, the president or the senate may refer it to a committee deemed appropriate.

All bills carrying an appropriation for any purpose or involving the expenditure of state funds shall be referred to the committee on appropriations.

All bills pertaining to the levy, assessment or collection of taxes shall be referred to the committee on ways and means.

Any bill which provides for a new state board, commission, agency or department or makes separate or autonomous an existing state board, commission, agency or department, shall be referred to the committee on state government. This rule shall also apply when such a provision is added to a bill or resolution by amendment adopted by the senate. If the bill or resolution is so referred after being sponsored or reported out by another committee, and if the committee on state government does not report out the bill or resolution within ten legislative days after referral, the bill or resolution shall automatically be restored to the calendar with the same priority it had immediately before referral.

Rule 39

Rules for Standing Committees

The following rules shall govern all standing committees of the senate. Any committee may adopt additional rules which are consistent with these rules:

1. A majority of the members shall constitute a quorum.

2. The chair of a committee shall refer each bill and resolution to a subcommittee within seven days after the bill or resolution has been referred to the committee. The chair may appoint subcommittees for study of bills and resolutions without calling a meeting of the committee, but the subcommittee must be announced at the next meeting of the committee. No bill or resolution shall be reported out of a committee until the next meeting after the subcommittee is announced, except that the chair of the appropriations committee may make the announcement of the assignment to a subcommittee by placing a notice in the journal. Any bill so assigned by the appropriations committee chair shall be eligible for consideration by the committee upon report of the subcommittee but not sooner than three legislative days following the publication of the announcement in the journal.

When a bill or resolution has been assigned to a subcommittee, the chair shall report to the senate the bill or resolution number and the names of the subcommittee members and such reports shall be reported in the journal of the last legislative day of each week.

Where standing subcommittees of any committee have been named, the names of the members and the title of the subcommittee shall be published once and

thereafter publication of assignments may be made by indicating the title of the subcommittee.

3. No bill or resolution shall be considered by a committee until it has been referred to a subcommittee and the subcommittee has made its report unless otherwise ordered by a majority of the members.

4. The rules adopted by a committee, including subsections 2, 3, 9, 10, 11, and 12 of this rule, may be suspended by an affirmative vote of a majority of the members of the committee.

5. The affirmative vote of a majority of the members of a committee is needed to sponsor a committee bill or resolution or to report a bill or resolution out for passage.

6. The vote on all bills and resolutions shall be by roll call and a record shall be kept by the secretary.

7. No committee, except a conference committee or the steering committee, is authorized to meet when the senate is in session.

8. A subcommittee shall not report a bill to the committee unless the bill has been typed into proper form by the legislative service bureau.

9. A bill or resolution shall not be voted upon the same day a public hearing is held on that bill or resolution. The presence or participation of a member of the legislature, official of the state, state department head, member of the press, legislative staff member assigned to the committee, or a person invited by the committee is not considered a public hearing.

10. Public hearings may be called at the discretion of the chair. The chair shall call a public hearing upon the written request of one-half the membership of the committee. The chair shall set the time and place of the public hearing.

11. A subcommittee chair must notify the committee chair not later than one legislative day prior to bringing the bill or resolution before the committee. The committee cannot vote on a bill or resolution for at least one full day following the receipt of the subcommittee report by the chairperson.

12. A motion proposing action on a bill or resolution that has been defeated by a committee shall not be voted upon again at the same session of the committee.

13. Committee meetings shall be open.

Rule 40 Voting in Committee

All committee meetings shall be open at all times. Voting by secret ballot is prohibited. Roll call votes shall be taken in each committee when final action on any bill or resolution is voted, or at the request of a member upon any amendment or motion. All results shall be entered in the minutes which shall be public records. Records of these votes shall be made available by the chair or the committee secretary at any time. This rule also applies to the steering committee and appropriations subcommittees.

The committee shall not authorize the introduction of a committee bill or resolution until the members have received final copies of the bill or resolution with amendments or changes incorporated, and typed into proper form by the legislative service bureau, provided that the committee can, by unanimous consent, dispense with this requirement when only nonsubstantive amendments or changes are necessary to correct the bill or resolution.

The legislative service bureau shall file a report with the committee members detailing the amendments or changes and this report shall become a part of the committee report.

Rule 41

Announcement of Committee Meetings

It shall be in order for the chair of any committee to announce to the senate the time and place of committee meetings. The announcement shall include a proposed agenda for the meeting. The sergeant-at-arms shall post at the rear of the chamber the daily schedule of committee meetings.

Rule 42

Withdrawal of Bills and Resolutions from Committee

The secretary of the senate shall note on each bill and resolution the date of its reference to committee. No bill or resolution shall be withdrawn from any committee within fifteen legislative days after the bill or resolution has been referred to the committee and thereafter only upon written petition for the withdrawal of such bill or resolution signed by a constitutional majority of the senators, except as provided in Rule 37. Only senators may circulate such a petition.

Rule 43

Committee Reports

All committees shall file a report with the secretary of the senate of committee meetings. Such reports shall contain the following information:

- a. The time the meeting convened;
- b. Those senators who were present and absent at the time the meeting convened, as well as the time any senator, who was not present at the time the meeting convened, arrives for the meeting;
- c. The vote on any bill or resolution reported out of the committee for floor action;
- d. The title of the bill;
- e. The file number of the bill or resolution (if known);
- f. Whether the committee recommends that the bill or resolution be passed, amended and passed, indefinitely postponed, or considered without committee recommendation;
- g. An indication of other bills or matters discussed;
- h. Such other matters as the committee chair shall direct; and
- i. The time the meeting adjourned.

No committee report shall be read, but all committee reports shall be printed by the secretary in the journal. Upon printing, all committee reports shall then stand approved unless the senate directs otherwise.

Rule 44

Bills or Resolutions Recommended for Indefinite Postponement

When a question is postponed indefinitely, it shall not be again acted upon during that general assembly. If a bill or resolution is reported back from a

committee recommending indefinite postponement, the report shall be placed on the calendar and shall be disposed of within three legislative days. If not, the committee recommendation shall be considered adopted. However, no senate bill or resolution recommended for indefinite postponement shall be considered in the absence of the chief sponsor or, if a house bill or resolution, in the absence of the senator representing the district in which the sponsor resides. If a committee report recommends indefinite postponement, it shall require a vote of thirty-four senators to prevent indefinite postponement, and debate shall be limited to ten minutes on each side.

GENERAL RULES

Rule 45

Admission to Senate Chamber and Prohibition of Lobbying

While the senate is in session and for a period of fifteen minutes before the convening of any session and sixty minutes after the daily adjournment, only legislators, employees of the senate, authorized senate interns, immediate families of senators, doctor of the day, minister of the day, and their immediate families and aides to senators shall be allowed in the senate chamber. Employees of the legislative service bureau authorized by its director and employees of the legislative fiscal bureau authorized by its director shall be allowed in the senate chamber. A person or group accompanied by a senator or persons going directly to committee meetings may be admitted during recess. Former legislators not registered as lobbyists in either house shall also be admitted to the senate floor. News reporters shall be permitted to occupy the seats assigned for the press and to go to or from those seats. No other persons shall be allowed on the senate floor without express permission of the presiding officer of the senate. The presiding officer shall require persons normally allowed in the senate chamber, other than senators, to leave the chamber if they are not at that time necessary for the senate's business.

Rule 46

Legislative Interns and Aides

Legislative interns for senators shall be allowed on the floor of the senate in accordance with Rule 45; provided that each intern first has obtained a name badge from the secretary of the senate. The secretary of the senate shall issue an appropriate name badge to all interns for senators.

In addition, those persons designated as "aides to senators" shall be allowed on the floor of the senate. The secretary of the senate shall issue an appropriate name badge for such individuals.

Rule 47

Clearing of Lobby and Gallery

In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer may order it cleared.

Rule 48
Presentation of Petitions

Each petition shall contain a brief statement of its subject matter and the name of the senator presenting it. Petitions shall be filed with the secretary of the senate and shall be noted in the journal.

Rule 49
Distribution of Printed Material

No general distribution of printed material in the senate shall be allowed unless authorized by the secretary of the senate or by a senator.

Rule 50
Concerning the Printing of Papers

Any paper, other than that contemplated by Section 10, Article III of the Constitution of the State of Iowa, presented to the senate may, with the consent of a constitutional majority, be printed in the journal.

Rule 51
Reprinting of Documents

When any bill has been substantially amended by the senate, the secretary of the senate shall order the bill reprinted on paper of a different color. All adopted amendments inserting new material shall be distinguishable.

The secretary of the senate may order the printing of a reasonable number of additional copies of bills, resolutions, amendments or journals.

OFFICERS AND EMPLOYEES

Rule 52
Duties of the President

The president shall call the senate to order at the hour to which the senate is adjourned. Unless otherwise ordered by the senate, the president shall proceed with the regular order of daily business. The president shall preserve order and decorum and decide all questions of order and corrections to the journal, subject to an appeal to the senate.

Rule 53
The President Pro Tempore

The senate shall elect a president pro tempore. When the president is absent, the president pro tempore shall preside, except when the chair is filled by temporary appointment by the president.

Rule 54
Secretary of the Senate

The secretary of the senate shall be an officer of the senate and shall:

1. Serve as chief administrative officer of the senate.
2. Have charge of the secretary's desk.
3. Be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except while they are in the custody of a committee.
4. Have charge of the daily journal.
5. Have control of all rooms assigned for the use of the senate.
6. Keep a detailed record of senate action on all bills and resolutions.
7. Insert adopted amendments into bills before transmittal to the house of representatives and prior to final enrollment.
8. Prescribe the duties of and supervise all senate employees.
9. Authorize all expenditures of funds within the senate budget.

Rule 55
Parliamentarian

The parliamentarian shall be an employee of the senate and shall:

1. Advise the presiding officer of the senate about parliamentary procedures during deliberations of the senate.
2. Perform other duties as prescribed by the committee on rules and administration.
3. Process the handling of amendments when filed and during the floor consideration of bills.

Rule 56
Legal Counsel

The legal counsel shall be an employee of the senate and shall:

1. Serve as attorney and counselor for the senate.
2. Supervise the legal counsel's office.
3. Clear all bills, resolutions, and amendments as to proper form prior to introduction.
4. At the request of any senator, the president or the secretary of the senate research any legal issue in which that individual has an interest. However, the legal counsel shall not issue nor venture any opinions on unresolved questions of law unless permitted by both the majority and minority leaders.

Rule 57
Sergeant-at-Arms

The sergeant-at-arms shall be an employee of the senate and shall:

1. Wear the appropriate badge of his or her office.
2. Attend the senate during its sessions.
3. Aid in the enforcement of order under the direction of the president of the senate and the secretary of the senate.
4. Execute the commands of the senate.
5. See that no unauthorized person disturbs the contents of the senators' desks.

6. Supervise the doorkeepers, the assistant sergeant-at-arms, and pages.
7. Announce all delegations from the governor or house.
8. Supervise the seating of visitors and press representatives.

Rule 58

Senate Secretaries

Every senator shall be permitted to employ for each session of a general assembly a personally selected secretary.

Rule 59

Use of Electronic Voting System

Any officer or employee of the senate, other than a duly elected member of the senate, who operates the electronic voting machine mechanism located at the desk of said member of the senate shall be subject to immediate termination from employment. The provisions of this paragraph only shall apply during the taking of a roll call vote utilizing the electronic voting system.

CONFIRMATION OF APPOINTMENTS

Rule 60

Appointments

The secretary of the senate shall maintain a file of all appointments received from the governor for confirmation. The file shall contain a description of the duties and the compensation for each nominee. The file shall show the date an appointment was received from the governor, whether the appointment letter was read to the senate, whether the nominee has been introduced, and whether a committee report has been filed.

INVESTIGATING COMMITTEES. All appointments received from the governor shall be referred to the rules and administration committee by the secretary of the senate on the same day they are read to the senate. The rules and administration committee shall establish an en bloc confirmation calendar which must be filed with the secretary of the senate. Within five (5) legislative days after receiving an appointment, the committee shall either place a nominee on the en bloc confirmation calendar or assign the nominee to an appropriate standing committee for further investigation, publishing notice of such assignment in the senate journal for the next legislative day. If the rules and administration committee fails to take action on a nominee within the five (5) days, the nominee shall automatically be placed on the en bloc confirmation calendar.

Within the five (5) legislative days after an appointment has been referred to the rules and administration committee, any ten senators may require that the nominee be assigned to an appropriate standing committee by filing a written, signed request therefor with the chairperson of the rules and administration committee. The committee chair shall refer the appointment to a subcommittee within one (1) legislative day after a standing committee receives an appointment for further investigation, publishing notice of such assignment in the senate journal for the next legislative day. Within five (5) legislative days after a standing committee receives an appointment for further investigation the subcommittee

shall file its report with the standing committee.

Within fourteen (14) legislative days after a standing committee receives an appointment for further investigation, the committee shall conduct an investigation of the nominee and file its report thereon with the secretary of the senate, who shall then place the nominee on the en bloc calendar or individual confirmation calendar as directed by the committee. The failure of a committee to file its report within the prescribed time means that the nominee is to be automatically placed, without recommendation, upon the individual confirmation calendar.

Any senator within five (5) days following a nominee's name being published in the journal may request that said nominee be introduced to the full senate by submitting a written request with the secretary of the senate. In any event, all nominees who are referred by the rules and administration committee to a standing committee shall be introduced to the full senate prior to a vote on confirmation of the nominee.

HEARINGS. Any member of a committee investigating an appointment may obtain a hearing with the nominee by filing a written request with the chair of the investigating committee within five (5) legislative days after the committee receives the appointment. At the hearing, which shall be before the investigating committee, the nominee may be questioned as to his or her qualifications to fulfill the office to which nominated and further questioned as to his or her viewpoints on issues facing the office to which nominated. Notice of the hearing shall be published in the journal at least three (3) days prior to the hearing. Any senator may at the discretion of the chair of the investigating committee be permitted to submit oral questions. The public may, at the discretion of the investigating committee, be permitted to submit oral or written statements as to the qualifications of the nominee.

Also, within five (5) days after the investigating committee receives an appointment for investigation, any senator may submit written questions to be answered by the nominee prior to consideration of the nominee's confirmation by the senate.

VOTING ON CONFIRMATIONS. Upon the motion of the majority leader or his or her designee, the nominees on the en bloc confirmation calendar shall be confirmed en bloc by the affirmative vote of two-thirds of the members elected to the senate. The journal shall reflect a single roll call accompanied by a statement of the names of those individuals subject to the en bloc confirmation vote.

Prior to an en bloc vote, any senator may request an individual vote on any nominee on the en bloc confirmation calendar. The senate shall vote separately on the nominee.

Nominees on the individual confirmation calendar shall be confirmed by a two-thirds vote; however, the senate shall take a separate roll call on each nominee, unless by unanimous consent, it determines to take one vote on all nominees under consideration. In any case, the journal shall reflect a single roll call vote for each nominee.

SENATE CODE OF ETHICS

Recognizing that service in the Iowa general assembly is a part-time endeavor and that members of the general assembly are honorable individuals who are active in the affairs of their localities and elsewhere and that it is necessary that they maintain a livelihood and source of income apart from their legislative compensation, the following rules are adopted pursuant to section 68B.10, to assist the members in the conduct of their legislative affairs.

1. Taking into account that legislative service is part-time, a senator shall not accept economic or investment opportunity, under circumstances where the senator knows, or should know, that there is a reasonable possibility that the opportunity is being afforded the senator with intent to influence the senator's conduct in the performance of official duties.

2. A senator shall not charge to or accept from a person, corporation, partnership or association known to have a legislative interest a price, fee, compensation or other consideration for the sale or lease of any property or the furnishing of services which is in excess of that which the senator would charge another.

3. A senator in order to further the senator's own economic interests, or those of any other person, shall not disclose or use confidential information acquired in the course of official duties.

4. A senator may appear before a governmental agency or board in any representation case, except that the senator shall not appear before a governmental agency or board for compensation if the matter is subject to legislative review. Whenever a senator appears before a governmental agency or board, the senator shall carefully avoid all conduct which might in any way lead members of the general public to conclude that the senator is using the senator's official position to further the senator's professional success or personal financial interest.

5. In order to permit the general assembly to function effectively, a senator will sometimes be required to vote on bills and participate in committee work which will affect the senator's employment and other monetary interests. In making a decision relative to the senator's activity on given bills or committee work which are subject to the code, the following factors shall be considered:

a. Whether a substantial threat to the senator's independence of judgment has been created by the conflict situation.

b. The effect of the senator's participation on public confidence in the integrity of the legislature.

c. Whether the senator's participation is likely to have any significant effect on the disposition of the matter.

d. The need for the senator's particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.

A senator with a conflict of interest may participate in floor debate if prior to debate the senator indicates the conflict of interest.

6. Each senator shall file with the secretary of the senate within ten days after the adoption of the code of ethics by the senate, and within ten days after the convening of the second session of the general assembly, a statement on forms provided by the secretary of the senate setting forth the following information:

a. The nature of each business in which the senator is engaged and the nature of the business of each company in which the senator or the senator's spouse has a financial interest. A senator shall not be required to file a report or be assumed to have a financial interest if an investment in stocks, bonds, bills, notes, mortgages

or other securities offered for sale through recognized financial brokers is less than five percent of the total outstanding issue of any such stock, bonds, bills, notes, mortgages or other securities of the offering entity.

b. The name of any state or national business, trade, labor, farm, professional, religious, educational or charitable association, foundation or organization which is involved in supporting or opposing legislation brought before the general assembly and by which the senator, the senator's partner or business associate is employed or retained or has rendered services for compensation within the last twelve months.

c. Every office or directorship held by the senator in any corporation, firm, enterprise, labor union, farm organization, cooperative, religious, educational or charitable association or organization, or trade or professional association held during the last twelve months and every membership in such an organization which is engaged in actively supporting or opposing legislation in the general assembly. The name of the entity shall be set out.

Disclosures required under this rule shall be as of the date filed unless provided to the contrary, and shall be amended to include interests and changes encompassed by this rule that occur while the general assembly is in session. All filings under this rule shall be open to public inspection in the office of the secretary of the senate at all reasonable times.

The secretary of the senate shall inform the ethics committee of the statements which are filed and shall report to the ethics committee the names of any senators who appear not to have filed complete statements. The ethics committee shall require any senator who appears not to have filed a complete statement to appear before the committee.

7. Members of the general assembly are urged to familiarize themselves with chapter 68B and chapter 722.

8. Senators shall not charge any amount or item to any charge account to be paid for by any lobbyist or any organization he or she represents.

9. A senator shall not charge to the state of Iowa amounts for travel and expenses unless the senator actually has incurred those mileage and expense costs. Senators shall not file the vouchers for weekly mileage reimbursement required by section 2.10, subsection 1, unless the travel was actually incurred at commensurate expense to the senator.

10. Complaints against any senator or any lobbyist shall be in writing, made under oath and filed with the ethics committee. If the ethics committee determines that the complaint sets out an apparent violation of the law or code of ethics or rules governing lobbyists, it shall set the matter for hearing, notify the accused of the right to appear in person, to be represented by counsel, to present statements and evidence and to cross-examine witnesses. The committee shall hold a hearing and consider all relevant evidence and shall make its recommendations to the senate.

SENATE RULES GOVERNING LOBBYISTS

1. For the purposes of these rules "lobbyist" is defined as a person who:

a. Is paid compensation or expends money for encouraging the passage, defeat, or modification of legislation, or influencing the decision of the members of a legislative committee or a subcommittee; or

b. Represents on a regular basis an organization which has as one of its purposes the encouragement of the passage, defeat, or modification of legislation, or influencing the decision of the members of a legislative committee or a subcommittee; or

c. Is a federal, state, or local government official or employee representing the official position of the official or employee's department, commission, board, or agency and who attempts to encourage the passage, defeat, or modification of legislation, or influencing the decision of the members of a legislative committee or a subcommittee while the senator is at the state capital for a legislative session or for official legislative business.

2. The term "lobbyist" shall not include within its definition:

a. Officials and employees of a political party organized in the state of Iowa representing more than two percent of the total votes cast for governor in the last preceding general election, but only when representing the political party in an official capacity.

b. Representatives of the news media engaged only in the reporting and dissemination of news and editorials.

c. Federal, state, or local government officials and employees who in the course of their official duties submit proposed legislation or amendments to a senator or senate committee or who provide information or are requested or required to provide information to a senator or to appear before a senate committee and who do not actively encourage the passage, defeat, or modification of legislation.

d. The governor and lieutenant governor of the state of Iowa, and all other elected state officials.

e. Persons who exclusively represent their own interests (as distinguished from the interests of a group, employer, or organization), provided they are not compensated by anyone for lobbying.

3. These rules are only applicable to lobbying activities involving the Iowa general assembly.

4. All lobbyists shall, on or before the day their lobbying activity begins, register with the secretary of the senate by filing a lobbyist's registration statement listing:

a. Name, permanent business address, temporary residential and business address in Polk county during the legislative session, and telephone numbers. If two or more lobbyists are associated together or consistently work together in all their lobbying, then they may file a joint registration. The name, permanent business address, temporary residential and business address in Polk county during the legislative session, and telephone numbers of all persons included in the joint registration shall be listed.

b. The name and address of all individuals, companies, firms, corporations, unions, associations or causes for which the individual lobbies.

c. The general subjects of legislation in which the lobbyist is or may be interested, the numbers of the bills and resolutions (if known) which will be lobbied, and whether the lobbyist intends to lobby for or against each bill (if known).

d. A detailed description of any agreement, arrangement, or understanding

concerning contingent fees.

Any change in or addition to the foregoing information shall be registered with the secretary of the senate within ten days after the change or addition is known to the lobbyist.

5. All federal, state, and local officials or employees representing the official positions of their departments, commissions, boards or agencies shall present to the secretary of the senate a letter of authorization from their department or agency heads prior to the commencement of their lobbying. The lobbyist registration statement of these officials and employees shall not be deemed complete until the letter of authorization is attached.

6. Federal, state, and local officials who wish to lobby in opposition to the official position of their departments, commissions, boards or agencies must indicate such on their lobbyist registration statements.

7. If a lobbyist's service on behalf of a particular employer, client, or cause is concluded prior to the end of the calendar year, the lobbyist may cancel the registration on appropriate forms supplied by the secretary of the senate. Upon cancellation of registration, a lobbyist is prohibited from engaging in any lobbying activity on behalf of that particular employer, client, or cause until re-registering and complying with these rules.

8. Lobbyists and the organizations they represent shall not allow any senators to charge any amounts or items to any charge account to be paid for by those lobbyists or by the organizations they represent.

9. A lobbyist, or an employer of a lobbyist, shall not offer economic or investment opportunity or promise of employment to any senator with intent to influence the senator's conduct in the performance of official duties.

10. A lobbyist, or employer of a lobbyist, shall not pay for membership in or contributions to clubs or organizations on behalf of a senator.

11. Lobbyists shall not be permitted on the floor of the senate while the senate is in session. Elected state officials, except the governor, lieutenant governor, and the members of the house of representatives, shall not be permitted on the floor of the senate while the senate is in session to encourage the passage, defeat, or modification of legislation.

12. Any member of the general assembly may file a complaint against a lobbyist or a senator alleging violation of law or the senate rules governing lobbyists. The complaint shall be in writing, made under oath, and filed with the secretary of the senate. The secretary of the senate promptly shall transmit the complaint to the chair of the senate ethics committee, who promptly shall convene that committee to consider the complaint.

If the ethics committee determines that the complaint sets out an apparent violation of law or the senate rules governing lobbyists, it shall set the matter for hearing, and then notify the accused of the right to appear in person, to be represented by counsel, to present statements and evidence, and to cross-examine witnesses. The committee shall hold a hearing, consider all relevant evidence, and make its recommendation to the senate. Violation of the senate rules governing lobbyists may result in the suspension of a lobbyist, if directed by a two-thirds vote of the senate in accordance with section 68B.10.

13. The senate ethics committee is authorized to meet during the time the general assembly is not in session to conduct hearings and other business that properly may come before it. If the committee submits a report seeking senate action against a lobbyist after the second regular session of a general assembly

has adjourned sine die, the report shall be submitted to and considered by the subsequent general assembly.

14. A lobbyist's registration is valid for only one session of a general assembly.

15. These rules governing lobbyists shall be in effect throughout the calendar year, whether or not the general assembly is in session.

16. The secretary of the senate shall prescribe forms and procedures for compliance with these rules.

17. All statements filed under these rules shall be public records open to public inspection at all reasonable times. Records relating to lobbying in one general assembly shall be retained by the secretary of the senate through the succeeding general assembly.

18. As used in these rules, the word "gift" and the phrases "immediate family member" and "public disclosure" have the meaning provided in chapter 68B.

The reports required to be filed under rules 19 and 20 of these rules shall be filed not later than the fifteenth day of a month for gifts made or received during the preceding month.

19. Persons who have made gifts to any senator, senate employee, or any immediate family member of a senator or senate employee which has a value in excess of fifteen dollars on any one occurrence shall file a report with the secretary of the senate which includes:

a. A list of senators, senate employees, or their immediate family members each to whom a gift was made, the date of the occurrence, and the nature and amount of the gift.

b. A monthly total of all gifts made by persons and their employer or employers regardless of the dollar value to senators, senate employees, and their immediate family members, including the following:

(1) Food and refreshment.

(2) Entertainment, including the cost of a hospitality room.

(3) Travel.

(4) Recreation expense.

(5) Lodging expense.

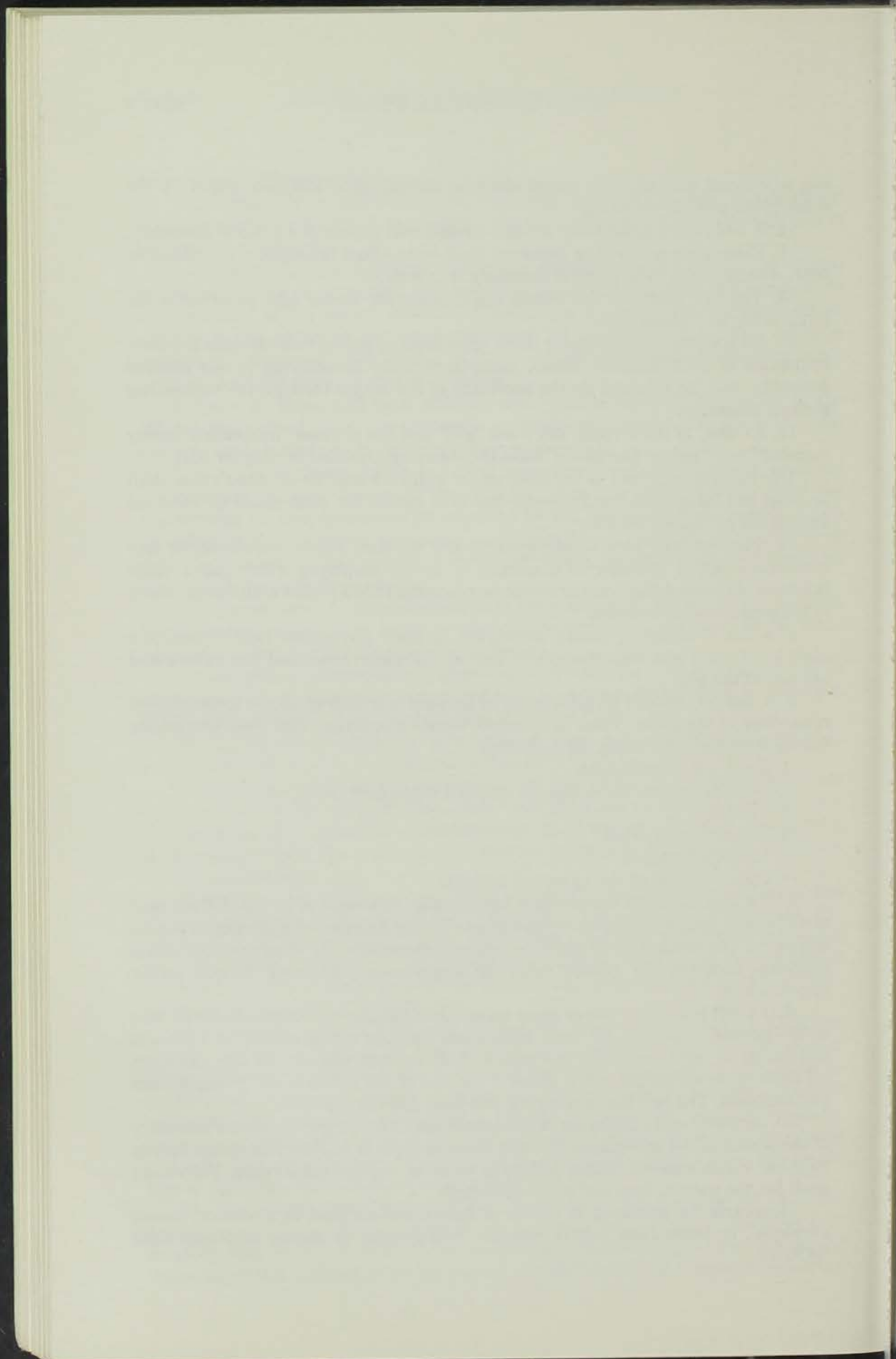
(6) Other (including the nature of the gift).

c. The amount of an honorarium for speaking in excess of fifteen dollars paid to a senator, senate employee, or immediate family member of a senator or senate employee. The amount listed shall include reimbursement for or payment of actual expenses incurred for public speaking engagements or other formal public appearances.

d. If a gift is made to two or more members of the general assembly, employees of the general assembly, or their immediate families which cannot be precisely attributed to each recipient, the report shall average the cost of the gift upon all those upon whom the gift is given if the cost of the gift exceeds fifteen dollars per recipient. The fact that averaging was used shall be disclosed.

20. Senators and employees of the senate shall file a report with the secretary of the senate of the acceptance of a gift made to them or to each immediate family member which exceeds fifteen dollars in value on any one occurrence. The report shall list the nature, date and donor of the gift.

Honoraria for speaking in excess of fifteen dollars paid to a senator, senate employee, or immediate family member of a senator or senate employee shall be listed.



HOUSE OF REPRESENTATIVES RULES

HOUSE CODE OF ETHICS

HOUSE LOBBYING RULES

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES**DIVISION I—GENERAL RULES****Rule 1****Call to Order and Order of Business**

The speaker shall take the chair at the hour to which the house has adjourned, and shall immediately call the members to order, correct the journal of the previous day's proceedings, and proceed to other business, including introduction of bills, reports, messages, communications, business pending at adjournment, resolutions and bills on their passage.

Rule 2**Quorum Call and Time of Convening**

The house shall convene each Monday at 10:00 a.m. and at 9:00 a.m. on all other legislative days, unless otherwise ordered.

The speaker or a member may request a roll call to determine if a quorum is present.

Rule 3**Absences from the House**

No member shall be absent without leave while the house is in session unless the member is sick or unable to attend.

Rule 4**Preservation of Order**

The speaker shall preserve order and decorum and speak to points of order in preference to other members. Subject to an appeal to the house by any member, the speaker shall decide questions of order which shall not be debated.

The speaker may have the chamber of the house cleared in case of any disturbance or disorderly conduct.

Only past legislators, state officials, persons whose presence is deemed by the speaker to be of special significance to the house, and school classes accompanied by teachers and seated in the galleries shall be introduced in the house.

Rule 5**Rules of Parliamentary Practice**

The rules of parliamentary practice in Mason's Manual of Legislative Procedure shall govern the house in all cases where they are not inconsistent with the standing rules of the house or the joint rules of the senate and house.

Rule 6**The Speaker Pro Tempore**

The house shall, at its pleasure, elect a speaker pro tempore. When the speaker shall for any cause be absent, the speaker pro tempore shall preside, except when the chair is filled by appointment by either the speaker or the speaker pro tempore. The speaker or the speaker pro tempore shall have the right to name any member to perform the duties of speaker, but such substitution shall not extend beyond the adjournment. The acts of the speaker pro tempore shall have the same validity as those of the speaker. In the absence of both the speaker and the speaker pro tempore, the house shall name a speaker who shall preside over it and perform all the duties of the speaker with the exception of signing bills, until such time as the speaker or speaker pro tempore shall be present, and the person's acts shall have the same force and validity as those of the regularly elected speaker.

Rule 7**Amendment and Suspension of Rules**

A motion to change or rescind a standing rule or order of the house requires one day's notice. A motion to suspend a rule, or to table or take from the table a matter, requires an affirmative vote of a constitutional majority. Postponing or changing the order of business requires an affirmative vote of a constitutional majority.

Rule 8**Violation of House Rules**

The speaker shall, or any member may, call to order a member who transgresses the rules of the house. With leave of the house, the member called to order may be permitted to explain. If the case requires it, the member shall be subject to censure of the house.

Rule 9**Referral of Rule Violations**

The speaker shall, upon complaint of a member, or upon the speaker's own motion, refer any alleged violation of house or joint rules by house members, employees or staff to the house ethics committee upon an initial finding that an investigation is warranted.

The ethics committee shall investigate such allegations and report them back to the house with a recommendation.

Rule 10**Recognition and Decorum in Debate**

A member who wishes to speak in debate or deliver any matter to the house, shall raise the microphone and, after recognition by the chair, shall respectfully address the presiding officer by saying "Mr. or Madam Speaker", shall confine all remarks to the question under debate and shall avoid personalities.

Rule 11
Limit on Debate

No member shall speak more than once on the same question, without leave of the speaker, nor more than twice until every member choosing to speak has spoken, except as provided in Rule 82. A member shall be limited to ten minutes debate on a bill being considered prior to its last reading, but may be granted an extension of time by consent of the house.

Rule 12
Decorum During Debate

No member shall leave the house while the speaker is putting a question. No one shall pass between the speaker and a member who is speaking.

Rule 13
Stating the Question

When a motion is made, it shall be stated by the speaker. A motion made in writing shall be passed to the desk before it is debated.

Rule 14
Putting the Question

Questions shall be distinctly put in this form: "All those in favor of (the question) shall say 'aye';" and after the affirmative voice is expressed, "All those opposed to (the question) shall say 'no'." If the speaker is in doubt or a member of the house requests, a nonrecord roll call vote shall be taken.

DIVISION II—EMPLOYEES OF THE HOUSE

Rule 15
Chief Clerk of the House

The chief clerk of the house shall serve as parliamentarian and chief administrative officer of the house under the direction of the speaker of the house. The chief clerk shall supervise the chief clerk's office; be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except when they are in the custody of a committee; have charge of the daily journal; have control of all rooms assigned for the use of the house; attest to the accuracy and correctness of text and action on bills and resolutions; process the handling of amendments when filed and during the floor consideration of bills; insert adopted amendments into bills before transmittal to the senate and prior to final enrollment; supervise legislative printing and the distribution of printed material; and perform all other duties pertaining to the office of the chief clerk.

Rule 16
Legal Counsel

The legal counsel shall be a house employee under the direction of the speaker of the house. The legal counsel shall serve as chief legal officer of the house; supervise the legal counsel's office; approve all bills, resolutions, and amendments as to proper form prior to introduction; and provide assistance to house committees.

Rule 17
Sergeant-At-Arms

The sergeant-at-arms shall execute all orders of the house and the presiding officer; perform all assigned duties related to the policing and good order of the house; supervise the entrance and exit of all persons to and from the chamber; promptly execute all messages, etc.; provide that the chamber is properly ventilated and open for the use of the members; and perform all other services pertaining to the office of sergeant-at-arms.

Rule 18
Secretaries

All secretaries of the house shall be under the general direction of the speaker and the chief clerk. Secretaries shall be on duty at the house from 8:30 a.m. to 4:30 p.m. except when excused by the member to whom the secretary is assigned. Secretaries shall perform such additional duties as may be assigned to them by the chief clerk.

Rule 19
Extra Compensation of Employees

No employee shall receive any extra compensation, except as provided by the house, or tips for services performed while on duty. Any violation of this rule shall be grounds for removal.

DIVISION III—VISITORS AND LOBBYISTS

Rule 20
Admission to the House; Lobbying

The chamber of the house shall include the vestibule, restrooms, cloak room, lounge, visitors' galleries, and floor of the house.

The floor of the house shall consist of that area between the press box, speaker's station, and the south wall behind the last row of desks occupied by representatives, excluding the visitors' galleries.

During a legislative day while the house is in session, and one-half hour before the house convenes and one-half hour after the house recesses or adjourns, no person shall be admitted to the floor of the house except:

1. Members of the general assembly and authorized house employees in the performance of their duties.
2. Former members of the general assembly who are not registered lobbyists.
3. A general assembly member's family who shall be restricted to the perimeter seating area only while the house is in session.
4. Representatives of the press, radio, and television who shall go directly to and from the press box.

5. Legislative interns approved by the chief clerk who shall go directly to and from the seat of their assigned representative or to be seated in the perimeter seating area.

6. Chair, co-chair, and the executive secretary of a political party having members serving in the general assembly.

7. Personnel of the code editor's office, legislative service bureau, legislative fiscal bureau, and administrative rules review committee staff.

8. The governor's executive assistants and administrative assistants, members of the state executive council, the lieutenant governor, the attorney general, the citizens' aide/ombudsman, and the administrative rules coordinator, all of whom shall be confined to the perimeter area.

No other persons shall be allowed on the house floor without permission of the presiding officer of the house.

No person admitted to the floor of the house, except members of the general assembly, shall, while the house is in session, lobby or attempt to exercise any influence with any member for or against any matter then pending or that may thereafter be considered by the house.

Notwithstanding the provisions of this rule regarding admission to the floor of the house, a registered lobbyist shall not be admitted to the floor of the house on any day when the house is in session or committees are scheduled to meet from one-half hour before the house convenes or 9:00 a.m., whichever is earlier, until one-half hour after the house adjourns or until 4:30 p.m., whichever is later. A registered lobbyist or other person may be admitted to the house when the house is not in session to gain access to a committee room or upon the invitation of a member or members of the house for the purpose of visiting only with that member or members of the house.

Each lobbyist shall be given a copy of this rule when the lobbyist registers.

Each member, employee of the house, and registered lobbyist shall report violations of this rule immediately to the sergeant-at-arms.

Any person for cause may be summarily dismissed from the chamber of the house, by action of the house, and shall forfeit that person's right to admission thereafter.

Rule 21

Distribution of Literature

No person not a member of the house of representatives shall generally distribute or cause to be distributed any pamphlets, material, or other printed literature in the house without the express permission of the chief clerk. Each piece of literature shall bear its source of distribution.

All copies of pamphlets, material, or printed literature distributed by a member of the general assembly shall bear the name of the member and a copy shall be left with the sergeant-at-arms.

Rule 22
Distribution of Materials
Printed by the State

A member of the house shall not distribute maps, books, and pamphlets such as, but not limited to Golden Dome, How a Bill Becomes Law, etc., which have been printed by the state of Iowa and upon which the name of the member of the house has been affixed unless the member has purchased the materials or unless the member has affixed the words "Paid for by the citizens of Iowa and distributed by representative (member's name)."

DIVISION IV—FORMS AND PROCEDURES
FOR BILLS AND OTHER DOCUMENTS

Rule 23
Documents signed by the Speaker

All acts and joint resolutions shall be signed by the speaker, and all writs, warrants, and subpoenas issued by order of the house, shall be signed by the speaker and attested by the chief clerk.

Rule 24
Presentation of Petitions

All petitions, memorials and other papers addressed to the house shall be signed by the member and filed with the chief clerk or the chief clerk's staff.

Rule 25
Consideration of Resolutions

Action on a resolution, except a memorial resolution, or a proposition requesting information from a state official shall not be taken until one day after the resolution has been placed on the members' desks. After the resolution is adopted, the chief clerk shall transmit certified copies and have the resolution printed in the bound journal. A resolution may be printed in the daily journal upon the approval of the speaker after consultation with the minority leader.

Rule 26
Unanimous Consent Calendar

The speaker may, upon the request of three members, place on a unanimous consent calendar any house resolution or concurrent resolution which does not contain an appropriation and which has been laid over under Rule 25.

If such resolution is placed on the unanimous consent calendar, it may be removed only upon a written request submitted to the speaker by a member of the house.

If not removed after five legislative days, the chief clerk shall call up the resolution and without debate the speaker shall pronounce that it has passed by unanimous consent.

If the resolution is removed from the unanimous consent calendar, the speaker may again lay the resolution over under Rule 25, place it on a different calendar, or refer the resolution to any of the standing committees of the house.

Rule 27

Forms of Bills and Joint Resolutions

Every house bill shall be introduced by one or more members or by any standing or specially authorized committee of the house, the administrative rules review committee or interim study committee. All bills and joint resolutions introduced shall be prepared by the legislative service bureau with title, enacting clause, text and explanation as directed by the chief clerk of the house. One copy of each bill shall be presented in a bill cover with the number of copies of the bill and the title as directed by the chief clerk.

Rule 28

Joint and Nullification Resolutions

Joint resolutions shall be framed and treated as bills.

A "nullification resolution" is a joint resolution which nullifies all or part of an administrative rule adopted pursuant to chapter 17A of the Code. A nullification resolution shall not amend an administrative rule by adding language or by inserting new language in lieu of existing language.

A nullification resolution may be introduced by an individual, a standing committee or the administrative rules review committee, and may be referred to a standing committee.

A nullification resolution is debatable, but cannot be amended on the floor of the house.

Rule 29

Time of Introduction of Bills

No bill or joint resolution under individual sponsorship shall be read for the first time after 4:00 p.m. on Friday of the 7th week of the first regular session of the general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time.

After adjournment of the first regular session, bills may be prefiled at any time before the convening of the second regular session. No bill or joint resolution under individual sponsorship shall be read for the first time after 4:00 p.m. on Friday of the 2nd week of the second regular session of the general assembly unless a written request for drafting the bill has been filed with the legislative service bureau before that time.

However, bills or joint resolutions sponsored by standing committees or the administrative rules review committee, co-sponsored by the majority and minority floor leaders, or companion bills sponsored by the house majority leader and the senate majority leader may be drafted and introduced at any time permissible under Joint Rule 20. House, concurrent and nullification resolutions may be introduced at any time.

Rule 30**Introduction and Reading of Bills**

All bills and resolutions to be introduced in the house shall be typed in proper form and filed with the chief clerk no later than 4:30 p.m. on the legislative day preceding its introduction.

Every bill shall receive two readings but no bill shall receive its first and last readings on the same day.

A "reading of a bill" as required by these rules shall consist of a reading of the title and enacting clause unless otherwise demanded by a house member.

Rule 31**First Reading, Commitment and Amendment**

31.1. A bill is introduced into the house by an initial or "first reading of the bill".

31.2. When the house is in session the first reading shall consist of a "reading" as provided in Rule 30.

31.3. Upon a first reading of the bill, the speaker shall state that it is ready for commitment or amendment; and the speaker shall commit it to the standing or select committee, or to a committee of the whole house. If to a committee of the whole house, the house shall determine on what day.

31.4. On a day when the house is not in session, the speaker shall cause a statement, which shall consist of the title, enacting clause, bill number and committee to which the bill is referred to be published in the house journal. This publication shall constitute a first reading and commitment and shall contain the notation "read and committed under Rule 31.4".

31.5. All amendments offered to bills on file or on the regular calendar shall be accompanied by such copies as the chief clerk shall direct.

31.6. Such amendments shall give the number of the bill sought to amend and the chief clerk shall designate each such amendment thus: Amendment to House File _____, or Senate File _____, by _____

31.7. A bill reported out by committee shall go to the speaker who shall direct that the bill be placed on the regular calendar unless it covers subject matter more properly within the jurisdiction of some other standing committee, in which case the speaker shall refer the bill to the proper standing committee.

31.8. No amendment to the rules of the house, to any resolution or bill, except technical amendments and amendments to bills substituted for by Senate Files containing substantially identical title, language, subject matter, purpose and intrasectional arrangement, shall be considered by the membership of the house without a copy of the amendment having been filed with the chief clerk by 4:00 p.m. or within one-half hour of adjournment, whichever is later, on the day preceding floor debate on the amendment. This provision shall not apply to any proposal debated on the floor of

the house after the fourteenth week of the first session and the twelfth week of the second session. No amendment or amendment to an amendment to a bill, rule of the house, or resolution shall be considered by the membership of the house without a copy of the amendment being on the desks of the entire membership of the house prior to consideration.

Rule 32

Commitment of Appropriation and Revenue Bills

All bills to appropriate money shall be referred to the appropriations committee, and all bills pertaining to the levy, assessment or collection of taxes shall be referred to the committee on ways and means.

Rule 33

Regular Calendar

Bills, nullification resolutions and joint resolutions reported out for passage, or amendment and passage, or without recommendation, by a committee, shall be arranged on a regular calendar by the chief clerk each day at 4:30 p.m. in the order of the file number of the bills and following the preceding legislative day's regular calendar. Priority shall be given to house over senate file numbers and to joint resolutions over bills in the arrangement of the regular calendar.

Rule 34

Debate Calendars

The majority floor leadership shall cause a weekly debate calendar to be prepared and distributed to the house members by the chief clerk. The weekly debate calendar shall be the last regular calendar of the preceding week with an addendum by noon of that day consisting of bills that are read in on that day as reported out of committee and provided that copies of the bills on the addendum are available by 4:00 p.m. or by adjournment of that day, whichever is later. Any bill, except an appropriations or ways and means committee bill not listed on the weekly debate calendar shall not be considered by the house during the week covered by the weekly debate calendar.

The majority floor leadership shall cause to be prepared and distributed to the members at the opening of each session day when floor action is scheduled, a daily debate calendar consisting of bills, nullification resolutions and joint resolutions from the weekly debate calendar setting forth the number, title, and order of consideration of bills, nullification resolutions and joint resolutions for the next session day that floor action is scheduled.

Rule 35

Noncontroversial Calendar

The majority floor leadership may cause to be prepared a noncontroversial calendar consisting of bills and joint resolutions from the regular calendar. The noncontroversial calendar shall appear under separate heading on the regular calendar.

Notwithstanding Rule 35, a bill or joint resolution on the noncontroversial calendar may be called up for debate at any time by the majority leader beginning the third

legislative day after it appears on the noncontroversial calendar. A bill or joint resolution shall be stricken from the noncontroversial calendar if a written objection to the bill or joint resolution is filed with the chief clerk prior to the time the bill or joint resolution is called up by the majority leader.

Debate on a bill or joint resolution from the noncontroversial calendar shall be limited to ten minutes. If debate exceeds ten minutes, the bill or joint resolution shall be stricken from the noncontroversial calendar.

Rule 36

Consideration of Committee Amendments

After a bill has been referred and reported back, it shall be considered on its first reading after the amendments of the committee have been read.

Rule 37

Amendments to Special Order Bills

All amendments, except corrective amendments, to bills special ordered more than five session days in advance of the date set for debate shall be filed at least two session days prior to the date set for debate.

A corrective amendment is an amendment which does not substantively change the amendment or the bill.

The time limits set for the filing of amendments on specially ordered bills shall not apply to bills special ordered for less than five session days.

Rule 38

Irrelevant Amendments

No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

Rule 39

Consideration of Bills

Bills, including committee bills, and nullification resolutions, reported out for passage, for indefinite postponement, for amendment and passage, or without recommendation by the committee, shall not be acted upon until at least one day after the printed journal containing the report has been placed upon the desks of the members of the house.

Appropriations committee bills shall not be acted upon until at least two days after the printed bill has been placed on the desks of the members of the house.

The reports of the committees shall not be read while the house is in session except as herein provided. The reports shall be printed in the journal immediately after they are filed with the chief clerk. Reports recommending bills for passage, for amendment and passage, or without recommendation shall stand approved unless written objections are filed during the first legislative day following their printing in the journal. If objections are filed, they shall be disposed of as soon as possible. Reports recommending indefinite postponement shall be governed by Rule 44.

Upon an affirmative vote of at least a constitutional majority of the members, a report may be read before it is printed in the journal and while the house is in session, and acted upon at once.

Rule 40

Consideration of Bills Upon Last Reading

No amendment, unless by way of correcting an error or omission, shall be received to any bill on its last reading, and no debate shall be allowed on it.

Rule 41

Printing of Bills and Joint Resolutions

Bills and joint resolutions shall be printed in form as provided by law and by rule. Each house may direct the printing of an additional number of its own bills.

Legalizing bills of a local or private nature shall be printed in bill form and placed in the files of the members, the same as other bills, in the order of their introduction. The cost of printing shall be deposited with the treasurer of state in advance at a rate to be fixed, and the newspaper publication of the bill shall be without cost to the state. No legalizing act may be introduced until all provisions of law have been complied with.

Rule 42

Certification of Bills

The chief clerk shall certify the passage of each bill and note the date of its passage.

Rule 43

Rereferral

A bill may be rereferred at any time before its passage and after the report of its referral to committee.

Rule 44

Effect of Indefinite Postponement

When a question is indefinitely postponed, it shall not be acted upon again during that session. Any bill which receives a committee recommendation of indefinite postponement shall be disposed of within three legislative days after the printed journal containing the report has been placed upon the desks of the members of the house, or the committee recommendation will be considered adopted.

Rule 45

Status of Bills Following First Regular Session

Except as provided in Rule 3 of the joint rules all bills introduced during the first regular session of a general assembly which have not been withdrawn, defeated or indefinitely postponed, shall be rereferred to committee at the opening of the second regular session. Within seven days after the first committee meeting following convening of the second regular session, committees shall either authorize the chair to refer such bills and resolutions to a subcommittee for consideration or report them to the floor and place them on the calendar.

DIVISION V—COMMITTEE PROCEDURES**Rule 46****Appointment of Committees**

All committees shall be appointed by the speaker, unless otherwise especially directed by the house.

Rule 47**Order on Question of Commitment**

When a resolution is offered or a motion made to refer any subject, and different committees are proposed, the question shall be taken in the following order: The committee of the whole house; a standing committee; a select committee.

Rule 48**Study Bills**

A study bill is any matter which a member of the house wishes to have considered by a standing committee, other than appropriations, and which has not been included in a previously introduced bill. Upon taking possession of a study bill, the committee chair shall notify the speaker and then submit fifteen copies of the bill to the legal counsel's office for numbering.

A study bill shall bear the name of the member who wishes to have the bill considered. A study bill submitted by a state agency or board for consideration shall bear the name of the state agency or board. A committee chair may submit a study bill in the name of that committee.

Final committee action on a study bill shall not be taken until one day following the notation of the study bill assignment in the house journal.

A study bill not prepared by the legislative service bureau may be submitted to a standing committee, but shall not be considered by the full committee unless reviewed and typed in proper form by the legislative service bureau.

Rule 49**Committee Meetings**

No committee, except a conference committee or the administrative rules review committee, shall meet while the house is in session without special leave.

Rule 50**Smoking**

Smoking shall not be permitted in the house committee rooms while a committee is meeting or on the floor of the house, at the speaker's station and in the press boxes while the house is in session.

Rule 51
Assignments to Subcommittee

The chair of the committee shall report to the house the bill number of each bill assigned to subcommittee and the names of the subcommittee members. The report shall be printed in the journal of the last legislative day of the week in which the bill is assigned.

All bills, prior to consideration by the committee, shall be referred by the chair to a subcommittee, unless acted upon by a committee of the whole.

The chair may assign bills to subcommittees without a meeting of the committee, but the membership of the subcommittee so appointed shall be reported at the next meeting of the committee.

Rule 52
Open Meetings

Standing committee meetings shall be open, and voting by secret ballot is prohibited. The rules and administration committee may close its meetings to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation on the request of the affected individual.

Rule 53
Quorum and Vote Requirements

The committee roll shall be taken at the convening of each meeting to determine the presence of a quorum. A majority of the committee membership shall constitute a quorum.

An affirmative vote of a majority of the committee membership is required to report a bill out of committee or to suspend a committee rule.

Rule 54
**Committee Attendance Record and Report
of Committee Form**

A committee attendance record shall be filed with the chief clerk no later than 10:00 a.m. of the legislative day immediately following the day of the committee meeting. The committee attendance record is a public record and may be published in the journal. The committee attendance record shall include the following information:

- a. The time the meeting convened.
- b. The members present at the meeting.
- c. The time the meeting adjourned.
- d. A list of bills receiving final committee disposition.

A report of committee form shall be filed with the chief clerk no later than 10:00 a.m. of the legislative day immediately following the day of the committee meeting for each study bill, numbered bill or resolution receiving final committee disposition. The report of committee form is a public record and a report of committee action shall be printed in the journal. The report of committee form shall include the following information:

- a. The committee action taken.
- b. The committee amendment number, if any.
- c. The roll call vote of the committee on final disposition.
- d. The minority recommendation, if any.

Upon final adjournment of the first session and final adjournment of the second session of the general assembly, the chair of each committee shall have placed the committee's book of record containing minutes, roll calls, rules, etc., with the chief clerk for access of any interested person.

Rule 55

Minority Recommendation

The minority of the members of a committee may present its recommendations on the final disposition of a bill to the house by attaching its recommendation to the committee report and the same shall be printed in the journal with the committee report.

Rule 56

Committee Amendment

Whenever a committee amendment is proposed which would amend another committee amendment, the amendment shall be drafted in the form of a substitute amendment and shall be considered as such.

Rule 57

Committee Notice and Agenda

Each committee shall prepare and publish a notice and agenda of each committee meeting at least one legislative day prior to the meeting.

The notice shall contain the committee name, the date, time and location of the meeting.

The agenda shall contain the matters to be discussed, including a list of bills, joint resolutions, nullification resolutions and study bills by number. The agenda should contain the names of individuals who are scheduled to appear before the committee and the organization which they represent.

A bill, joint resolution, nullification resolution or study bill shall not be reported out of committee if the bill was not included in the published notice and agenda unless this rule is suspended by a majority of the total membership of the committee.

A committee chair may call a meeting without providing the required notice and agenda upon leave of the house if a notice is placed on the desks of committee members and on the bulletin board.

Rule 58
Clearing of Committee Room

The chair of a committee may clear the committee room in case of any disturbance or disorderly conduct.

Rule 59
Committee Amendments

All amendments to a bill or resolution adopted in committee shall be incorporated in a single committee amendment or incorporated in a new committee bill.

Rule 60
Withdrawal of Bills
or Nullification Resolutions
From Committee

A bill or nullification resolution which has been in committee for eighteen legislative days following notation of such referral in the journal may be withdrawn from the committee and placed on the calendar by an affirmative vote of not less than fifty-one members of the house. This rule shall not apply to the committees on appropriations and ways and means.

Rule 61
Committee Hearings

The chair of a committee may call a hearing for the purpose of receiving public comment on any matter within the purview of the committee.

The chair shall call a hearing upon the written request of committee members according to committee rules, but no more than one-third of the committee members shall be required.

The chair shall designate a time and place for a hearing and provide public notice at least five days prior to a hearing.

Rule 62
Limitation on Filing of Claims

A claim or claim bill, the subject matter of which has been considered or filed for consideration in the house or any of its committees, in two or more prior sessions of the general assembly, shall not be considered by any committee or by the house unless it has been specifically referred to this session by a prior general assembly. The committee on claims is authorized to set a definite date after which it will not receive claims or claim bills for consideration.

DIVISION VI—COMMITTEE OF THE WHOLE**Rule 63****Organization of Committee of the Whole**

In forming the committee of the whole house, the speaker shall appoint a member to preside in committee and then leave the chair.

Rule 64**Rules in Committee of the Whole**

The rules of the house shall be observed in committee of the whole house, so far as they are applicable.

Rule 65**Bills in Committee of the Whole**

Bills committed to the committee of the whole house shall first be read in their entirety by the chief clerk or chair and then read again or debated by section, leaving the preamble to be considered last. After report, the bill shall again be subject to debate and amendment before a vote is had on its last reading and passage.

Rule 66**Amendments by Committee of the Whole**

All amendments made to a report committed to a committee of the whole house shall be noted and reported as in the case of bills.

DIVISION VII—MOTIONS**Rule 67****Order and Precedence of Motions**

The following order and precedence of motions shall govern when a question is under debate:

11. Adjourn.
10. Recess.
9. Questions of privilege.
8. Lay on the table.
7. Previous question.
6. Postpone definitely or to a certain time.
5. Refer or commit.
4. Defer.
3. Amend an amendment.
2. Amend.
1. Postpone indefinitely.

These motions are listed in descending order of precedence.

A motion to postpone definitely or to a certain time, to refer or commit, or to postpone indefinitely a particular question shall not be considered more than once on the same day.

Adoption of a motion to strike the enacting words is equivalent to rejection of the question.

Rule 68

Order of Consideration of Amendments

Amendments shall be considered by earliest position in the bill. Amendments to the same place in the bill shall be considered by the lowest amendment number. An amendment which inserts language after a line and an amendment which inserts language before the succeeding line shall be considered amendments to the same place in the bill.

However, an amendment to strike the enacting clause shall always be considered first. An amendment filed by a committee shall have the next highest order of priority, followed by an amendment to strike everything after the enacting clause and insert new language. An amendment to strike language or to strike and insert new language, except an amendment to strike everything after the enacting clause and insert new language, shall not be considered before amendments to perfect all or part of the same portion of the bill.

Rule 69

Motions Not Debatable

The motions to lay on the table, to adjourn, for the previous question, and appeals of a ruling of the presiding officer shall be decided without debate.

Rule 70

Motion to Adjourn

A motion to adjourn shall always be in order, except when a member is speaking or the house is voting.

Rule 71

Withdrawal of Motions

After a motion is stated by the speaker, or read by the chief clerk, it shall be deemed to be in possession of the house, but may be withdrawn by leave of the house.

Rule 72

Referral and Rereferral

Motions and reports may be referred and rereferred at the pleasure of the house.

Rule 73

Reconsideration

a. A motion to reconsider may be made only by a member who voted on the prevailing side of the question sought to be reconsidered.

b. A motion to reconsider may be made not later than adjournment on the day following the day of the action sought to be reconsidered. Where the floor manager voted on the prevailing side, he or she has the prior right to make the motion, until adjournment on the day of the action sought to be reconsidered.

c. A motion to reconsider made following the one hundred fourth calendar day of the first regular session, or the ninety-fourth calendar day of the second regular session, shall be taken up when made. A motion made at any other time may be taken up prior to the third day succeeding the day of the action sought to be reconsidered only if called up by the mover, and after the second day succeeding the day of the action sought to be reconsidered if called up by any member.

d. The making of a motion to reconsider takes precedence over all other questions.

e. No motion to reconsider passage, adoption or failure of any bill, nullification resolution or joint resolution shall prevail unless it obtains a constitutional majority. When passage, adoption or failure is reconsidered, questions on amendments may also be reconsidered and shall be disposed of immediately.

f. A motion that the motion to reconsider be laid on the table is in order. The effect of laying the motion to reconsider on the table is to cause the bill or joint resolution to proceed on its regular course immediately.

g. In the event that a motion to reconsider is pending at the end of the first session or any extraordinary session of any general assembly, or the general assembly adjourns sine die, and the motion to reconsider has not been voted upon by the house, the motion shall be determined to have failed.

DIVISION VIII—VOTING

Rule 74

Manner of Voting

Upon direction of the speaker or upon request of two members during the taking of the vote of the house on any question, only those members at their desks and voting shall be counted except:

a. Members who have not voted may record their votes on any record roll call vote except quorum calls within ten minutes after the vote has been announced, providing the vote does not change the outcome of the vote on that question. A member may request announcement of the names of members so recorded after the ten-minute period.

b. Members meeting in a conference committee or in administrative rules review committee at the time a vote is taken on a question may have their vote recorded within 30 minutes or adjournment, whichever is first of that same legislative day, providing the vote does not change the outcome of the vote on that question.

Rule 75
Duty of Voting

Except as limited in Rule 74, every member who is in the house when a question is put shall vote unless the house has excused that member for special reasons; however, such member must have asked to be excused prior to commencing to take the vote on the main question.

Rule 76
Limitation on Right to Vote

No member shall vote on any question in which that person is financially interested.

Rule 77
Call of the House

Upon written request of five members, the presiding officer shall compel attendance of absent and unexcused members for the consideration of specified bills or resolutions.

A call of the house shall specify the propositions to which it is to apply, and must be put into effect before roll call is taken on the proposition. The request may be filed at any time before final action upon the propositions with the chief clerk, who shall notify the house immediately.

Rule 78
Method of Calling the House

Upon a call of the house, the names of the members shall be called by the chief clerk and the absentees noted, after which the names of the absentees shall again be called. The sergeant-at-arms shall be directed by the speaker to compel the attendance of absent members, unless they are previously excused. Any member occupying his or her seat during a call of the house shall be counted by the speaker and that person's name entered in the journal as being present for the purpose of making a quorum.

Rule 79
Method of Calling the Roll

The electrical voting machine shall be used for a call of the house, a quorum call or a roll call vote on any question. If the electrical voting machine is not in operating order when it is necessary to take a record roll call vote, the presiding officer shall order the vote to be taken by calling the roll in alphabetical order, except the name of the presiding officer shall be called last.

During the casting of the vote with the voting machine, the individual votes and the vote totals shall be shown on the display boards. Before the voting machine is closed, the presiding officer shall inquire of the house, "Have you all voted?"

Rule 80
Quorum and Record Roll Call Votes

A majority of the members shall constitute a quorum.

A record roll call vote shall be ordered upon request of any two members. The names of the members requesting the record roll call shall be entered in the journal.

Rule 81
Previous Question

When a member moves for a previous question, that member shall state whether the motion will apply to the main question, to all the amendments, or to particular amendments. The motion requires an affirmative vote of at least a constitutional majority of the members. If the motion for a previous question is not adopted, the house shall proceed in the same manner as before the motion was made.

If the motion is adopted, all debate must end and the house will vote upon the question except:

1. If the motion applies to the main question, the member in charge of the measure will have ten minutes to speak for the purpose of closing discussion before the vote on the measure is taken.
2. If the motion applies to an amendment, the member proposing the amendment will have five minutes to speak for the purpose of closing discussion before the vote on the amendment is taken.
3. If a member has filed a written request with the chief clerk of the house indicating his or her desire to speak on a particular question. The request must be filed before the motion is made by the movant. The request allows a member to speak on a particular question before the closing discussion by the member who is in charge of the measure or who is proposing the amendment.

Rule 82
Division of the Question

Any member may call for a division of the question, which shall be divided if it comprehends questions so distinct that one being taken away, the remainder may stand separately for discussion by the house. A motion to strike out being lost shall not preclude either an amendment or a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

HOUSE CODE OF ETHICS

Recognizing that members of the general assembly are honorable citizens who are active in the business, religious and public service affairs of their community, state, and nation, the following rules were adopted pursuant to chapter 68B to assist the members in the conduct of their legislative affairs.

1. A member of the house shall not accept economic or investment opportunity under circumstances where the member knows, or should know, that there is a reasonable possibility that the opportunity is being afforded with the intent to influence the member's conduct in the performance of official duties.

2. A member of the house shall not charge to or accept from a person, partnership or corporation known to have a legislative interest, a price, fee, compensation, or other consideration for the sale or lease of any property or the furnishing of services which is in excess of that which the member would ordinarily charge another.

3. A member of the house, in order to further the member's own economic interests, or those of any other person, shall not disclose or use confidential information acquired in the course of the member's official duties.

4. A member of the house may appear before a state agency in any representation case. Whenever a member of the house appears before a state agency, the member shall carefully avoid all conduct which might in any way lead members of the general public to conclude that the member is using the member's official position to further the member's professional success or general interest.

5. In order to permit the general assembly to function effectively, members of the house will, of necessity, be required to vote on bills and participate in committee work which will affect their employment and other areas in which they may have a monetary interest. Action on bills and in committee work which specifically deal with a member's specific employment or specific investment, as opposed to a profession, trade, or business in general, should be avoided. In making a decision relating to a member's activity on particular bills or in committee work which are subject to this code, the following factors should be considered:

a. Whether a substantial threat to the member's independence of judgment has been created by the conflict situation.

b. The effect of the member's participation on public confidence in the integrity of the legislature.

c. Whether the member's participation is likely to have any significant effect on the disposition of the matter.

d. The need for the member's particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.

The member may, however, decide to participate in a manner contrary to the economic interest which creates the conflict situation, but if the member abstains, the member should disclose that fact to the legislative body.

6. Members of the house are urged to familiarize themselves with chapters 68B, 721 and 722 and section 711.4 of the Code.

7. Members of the house shall not charge any amount or item to a charge account to be paid for by a lobbyist or any organization a lobbyist represents.

8. Complaints against a member of the house or a lobbyist operating in the house shall be in writing, made under oath and filed with the ethics committee of the house. If the ethics committee determines that the complaint sets out an apparent violation of the law or code of ethics or rules regulating lobbyists, it shall set the matter for hearing, notify the accused of the right to appear in person, to be represented by counsel, to present statements and evidence and to cross-examine witnesses. The committee shall hold a hearing and consider all relevant evidence and shall make its recommendations to the house.

9. Advisory opinions may be rendered as set out in section 68B.10 of the Code upon request of a member of the general assembly.

HOUSE RULES GOVERNING LOBBYISTS

1. Definitions:

a. For the purposes of these rules, "lobbyist" is defined as a person who does any of the following:

(1) Is paid compensation to encourage the passage, defeat, or modification of legislation.

(2) Expends money in an attempt to encourage the passage, defeat, or modification of legislation.

(3) Represents an organization which has as one of its purposes the encouragement of the passage, defeat, or modification of legislation.

(4) Is a federal, state, or local official or employee who represents the official position of his or her department, commission, board, or agency, and who attempts to encourage the passage, defeat, or modification of legislation.

b. The term "lobbyist" shall not include within its definition:

(1) Designated representatives of political parties organized in the state of Iowa and representing more than two percent of the total votes cast for governor or president in the preceding general election.

(2) Representatives of the news media engaged only in the reporting and disseminating of news.

(3) Officials and employees of federal, state, and local government who in the course of their official duties submit legislation or amendments to a representative or a house committee, or who are requested or required to provide information to a representative, or who are requested or required to appear before a house committee, and who do not encourage the passage, defeat, or modification of legislation.

(4) Any elected state official.

(5) Constituents of a legislator in lobbying their legislator.

2. All lobbyists shall on or before the day their lobbying activity begins, register with the chief clerk of the house by filing a lobbyist registration form listing:

a. Name, permanent business and residential addresses, temporary residential and business addresses during the legislative session, if any; and telephone numbers.

b. The name and address of each individual, company, firm, corporation, union, association or cause for which the person lobbies.

c. The general subjects of legislation in which the lobbyist is or may be interested, the file number of the bills and resolutions (if known) which will be lobbied, whether the lobbyist intends to lobby for or against each bill or resolution (if known), and on whose behalf the lobbyist is lobbying the bill or resolution.

Only one registration statement need be filed by a lobbyist, even if the lobbyist represents more than one client.

3. All information filed under these rules shall be public record and open to public inspection at any reasonable time.

4. Employees of federal, state, and local government offices who are designated representatives of their agency shall not lobby on behalf of such offices without a letter of authorization from such office.

5. Lobbyists shall only be permitted on the floor of the house pursuant to rule 20 of the rules of the house.

6. A fee or bonus shall not be paid to any lobbyist with reference to any legislative action that is conditioned wholly or in part upon the results attained by the lobbyist.

7. A lobbyist, or employer of a lobbyist, shall not offer economic or investment opportunity or promise of employment to any member of the house with intent to influence conduct in the performance of official duties.

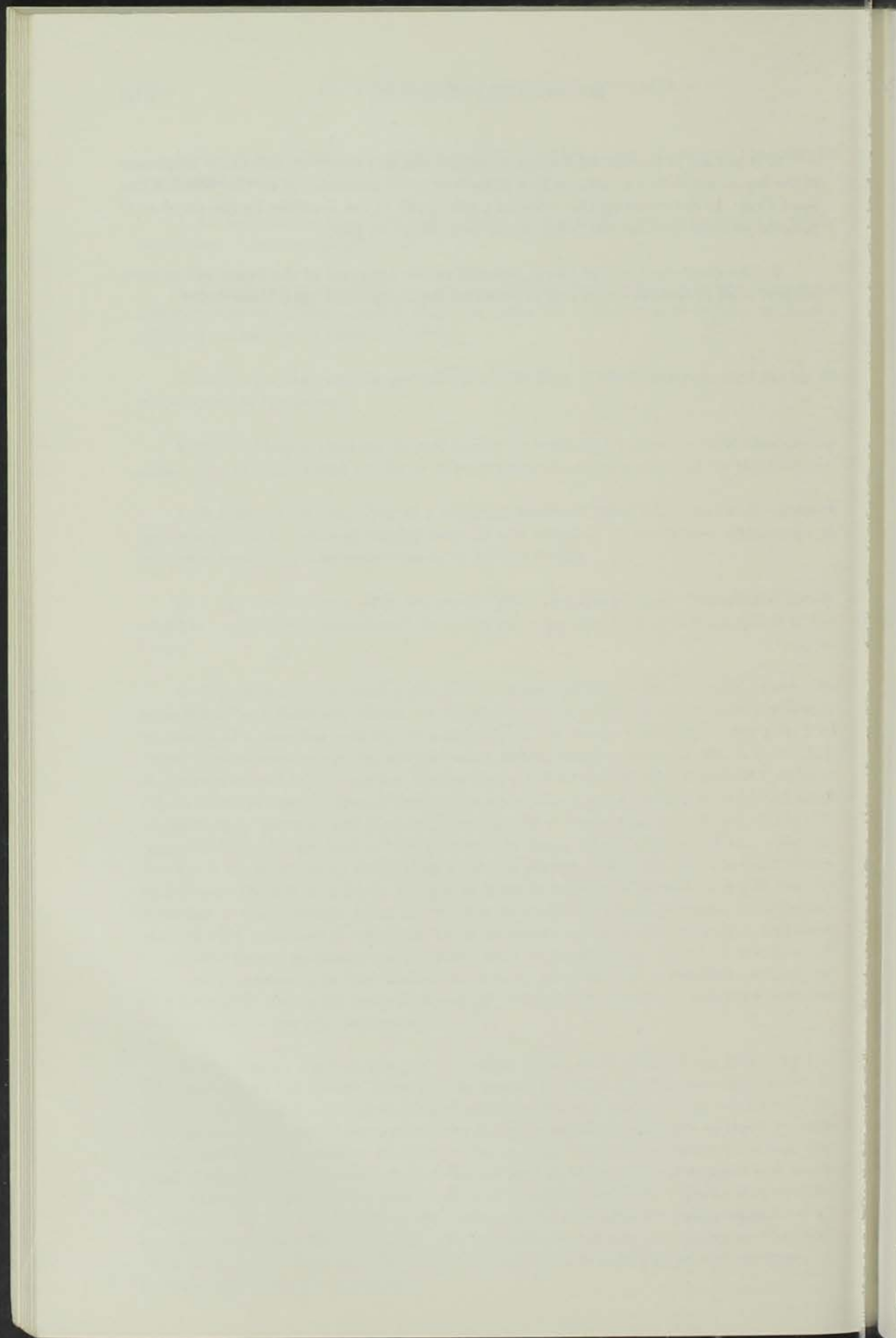
8. a. As used in this rule, the word "gift" and the phrases "immediate family member" and "public disclosure" have the meaning provided in section 68B.2 of the Code.

b. A person who provides a gift which exceeds fifteen dollars in value in any one occurrence to a member, officer, or employee of the house or the immediate family members of a member, officer, or employee of the house shall report the gift. The report shall show the nature, amount, date, donee, and donor of the gift. If more than one person shares in the expense of providing a gift as defined in section 68B.2, subsection 9, which exceeds fifteen dollars in value and which is required to be reported, each of the natural persons and legal entities sharing in the expense shall report the gift regardless of the amount of the person's or legal entity's share of the expense. However, if a legal entity other than a natural person makes the gift, the legal entity shall report the gift as a donor. If a gift is made to a group of persons, the gift shall be reported if the average value of the gift provided to those persons participating exceeds fifteen dollars in value and those members, officers and employees and their immediate family members participating shall be listed in the report. A member, officer, or employee and the immediate family members of a member, officer, or employee shall not accept more than one gift which is required to be reported from the same person in any one occurrence.

c. The report shall be filed in the office of the chief clerk of the house by the fifteenth day of the month following the month in which a gift is provided which is required to be reported. The chief clerk shall also file and maintain any report filed by the members, officers or employees who desire to report a gift made to them or their immediate family members. Subject to the approval of the committee on ethics, the chief clerk of the house shall prepare forms for the filing of these reports and make them available to any person who is required to file a report. The reports filed shall be maintained by the chief clerk of the house and be available for public inspection as provided in chapter 22 of the Code. The committee on ethics may authorize the chief clerk of the house to prepare and make available to the public an annual summary of the reports filed under this rule.

d. A person is prohibited from providing a gift to a member, officer, or employee of the house which has a value of fifty dollars or more, pursuant to section 68B.5 of the Iowa Code. In determining the value of a gift, a gift is not divisible by the number of persons or legal entities participating in providing the gift.

9. The chief clerk of the house, subject to the approval of the house ethics committee, shall prescribe forms and procedures for compliance with these rules.



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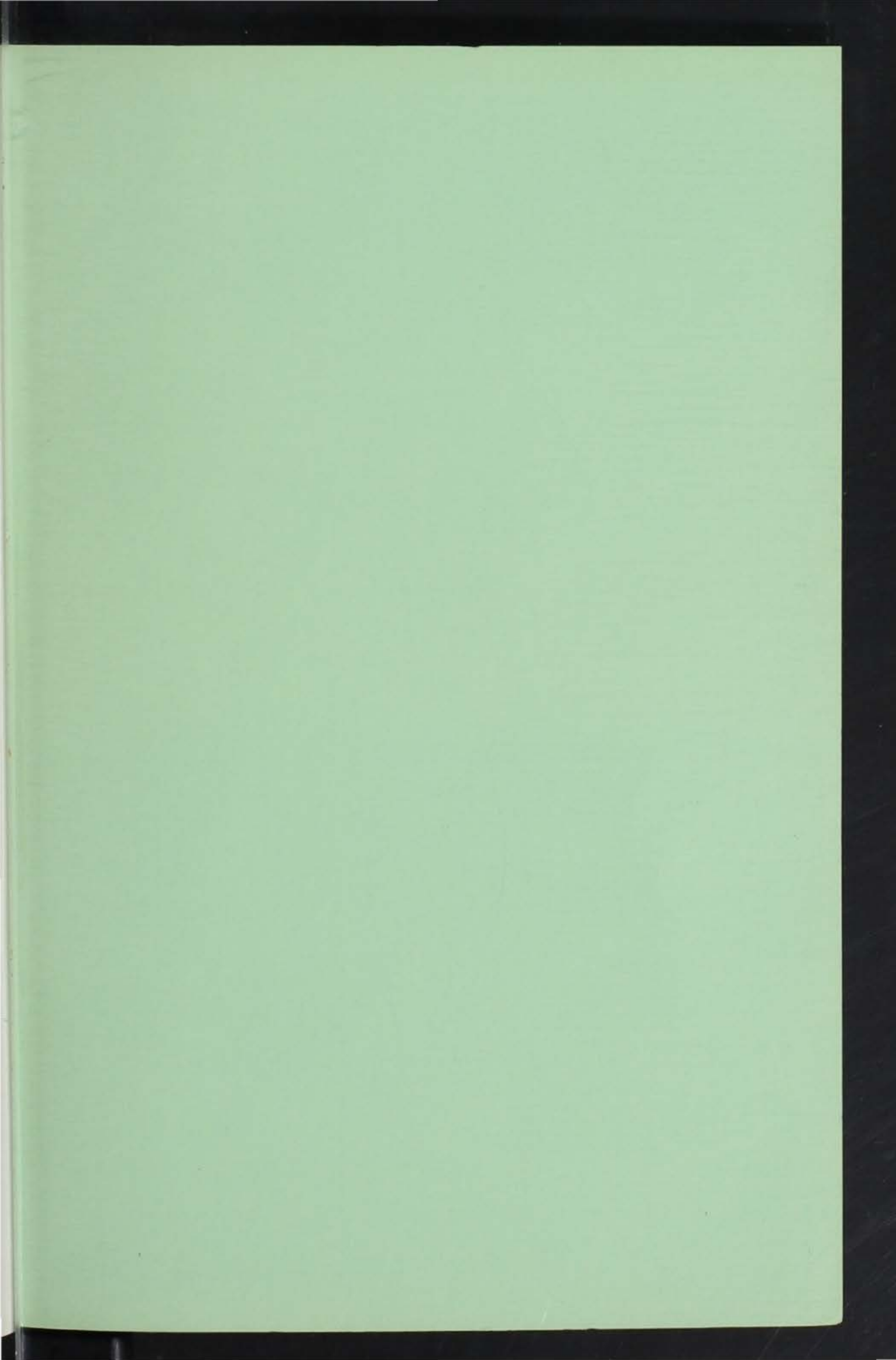
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